FORM PTO-1390 (Modified) (REV 10-95) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)
13334	09/463480

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/AU98/00587	24 July 1998 (24.07.98)	25 July 1997 (25.07.97)

TITLE OF INVENTION
NOVEL NUCLEIC ACID MOLECULES AND USES THEREFOR 31 December 1997 (31.12.97)

APPLICANT(S) FOR DO/EO/US
Mohan Singh **Hui-Ling Xu** **Manjit Singh**
Prem Bhalla **Ines Swoboda**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
   a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☒ has been transmitted by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
   a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☐ have been transmitted by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
    A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

Courtesy copy of international application including Article 34 amendments
22 sheets of drawings

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
09/463480	PCT/AU98/00587	13334

20. The following fees are submitted:.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

		CALCULATIONS PTO USE ONLY
☐	Search Report has been prepared by the EPO or JPO	**$840.00**
☐	International preliminary examination fee paid to USPTO (37 CFR 1.482)	**$670.00**
☐	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	**$760.00**
☒	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO	**$970.00**
☐	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	**$96.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =	**$970.00**	
Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).	**$130.00**	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x $18.00	**$0.00**	
Independent claims	4 - 3 =	1	x $78.00	**$78.00**	
Multiple Dependent Claims **(check if applicable)**.			☐	**$0.00**	
TOTAL OF ABOVE CALCULATIONS			=	**$1,178.00**	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) **(check if applicable)**.			☐	**$0.00**	
SUBTOTAL			=	**$1,178.00**	
Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).			+	**$0.00**	
TOTAL NATIONAL FEE			=	**$1,178.00**	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) **(check if applicable).**			☐	**$0.00**	
TOTAL FEES ENCLOSED			=	**$1,178.00**	
				Amount to be: refunded	$
				charged	$

☒ A check in the amount of **$1,178.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. in the amount of to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **19-1013/SSMP** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Leopold Presser
SIGNATURE

Leopold Presser
NAME

19,827
REGISTRATION NUMBER

January 24, 2000
DATE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mohan Singh, et al. **Examiner:**

Serial No.: unassigned **Art Unit:**

Filed: herewith **Docket:** 13334

For: NOVEL NUCLEIC ACID MOLECULES AND USES THEREFOR **Dated:** January 24, 2000

Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

In connection with the filing of the above-described application, kindly enter the following preliminary amendments.

IN THE CLAIMS:

Claim 6, line 1, delete "or 3";

Claim 18, line 1, delete "or 17"; and

Claim 19, line 1, amend "any one of claims 11 to 15" to read --claim 11--.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number: EL089210935US
Date of Deposit: January 24, 2000

I hereby certify that this Preliminary Amendment is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: January 24, 2000

Mishelle Spina

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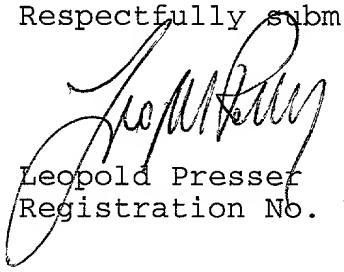
REMARKS

The amendments submitted herewith have been made to delete multiple dependencies. It is respectfully submitted that by doing so, no new matter has been added.

It is respectfully requested that the above amendments be entered before an action on the merits is issued.

Respectfully submitted,



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22/PRTS

NOVEL NUCLEIC ACID MOLECULES AND USES THEREFOR

FIELD OF THE INVENTION

The present invention relates generally to a novel nucleic acid molecule. More particularly, the present invention relates to a male germ line cell specific genetic sequence in plants. Male germ line cells include generative cells and sperm cells. Even more particularly, the present invention provides a male germ line specific gene or functional equivalent thereof and to the promoter of said gene or its functional derivatives and there use in generating a range of mutant plants including male sterile plants and transposon tagged plants.

BACKGROUND OF THE INVENTION

Bibliographic details of the publications numerically referred to in this specification are collected at the end of the description.

The increasing sophistication of recombinant DNA technology is greatly facilitating research and development in a range of industries and is particularly beneficial for the agricultural and horticultural industries. The ability to manipulate plants and plant products by recombinant means offers great potential to generate relatively quickly new varieties of plants, plants with beneficial genetic alterations and modified plant products, such as grains and fruits.

One important area of the plant industry is the production of hybrid plants. The production of hybrid plants from essentially homozygous parents permits the introduction of a range of beneficial traits including disease resistance, higher seed yield, frost resistance and altered nutritional characteristics.

Due to the importance of hybrid plants to the agricultural and horticultural industries in general, much research has been undertaken to finding improved, more efficacious ways of producing heterozygotic plants. The production of hybrid plants requires that a female parent does not self-fertilize. A range of physical, chemical and genetic techniques have been used or have been

proposed in order to prevent self-fertilization. Although some of these techniques have been partially successful, there is still a need to develop alternative, more broadly applicable methods of preventing self-fertilization.

Another important area of the agricultural and horticultural industries is the generation of mutants. Mutant plants may in themselves be useful in removing unwanted traits or may be useful as recipients for further genetic manipulation such as the introduction of new genetic material. Mutant plants have been obtained by a range of procedures including chemical and genetic manipulation as well as physical manipulation and classical breeding. One particularly useful mutant generating mechanism is "transposon tagging".

Transposons are distinct genetic elements capable of inserting into different sites of the genome within the same cell. Two broad categories of transposons are known comprising the DNA based transposon which transpose *via* DNA intermediates and retrotransposons or retroelements, which transpose *via* RNA intermediates. Transposons are useful tools for transposon tagging which relies upon a recognizable phenotype being caused by the insertion into a gene of a transposon. Transposon tagging has found particular application in the cloning of genes.

One system of transposon tagging uses the *Activator/Dissociation (Ac/Ds)* elements from maize (1). This system comprises a *trans*-activator, Ac^{si}, which provides a transposase and a *cis*-responsive *Ds* element. The transposase promotes high frequency germinal excision of *Ds* which then reintegrates frequently into new genomic sites after excision.

However, despite the need for male sterile plants and the availability of mutagenic techniques such as transposon tagging, progress has been hampered by the inability to target germ line cells. In work leading up to the present invention, the inventors have identified cDNA clones exhibiting strict generative cell specific expression.

The development of male gametes is one of the most important events in the life cycle of flowering plants. The generative cell, the progenitor of male gametes, plays a central role in this process. This role is to produce two male gametes, the sperm cells, which participate in

fertilization. The generative cell residues within the cytoplasm of another cell, the vegetative cell and, until now, was thought to be transcriptionally inactive.

In work leading up to the present invention, the inventors have identified genes which are male gamete specific. The genes and their corresponding promoters of the present invention will enable specific genetic manipulation of the male germ line including generating male sterile plants and facilitating male gamete specific transposon tagging.

SUMMARY OF THE INVENTION

Throughout this specification, unless the context requires otherwise, the word "comprise", or variations such as "comprises" or "comprising", will be understood to imply the inclusion of a stated element or integer or group of elements or integers but not the exclusion of any other element or integer or group of elements or integers.

Sequence Identity Numbers (SEQ ID NOs.) for the nucleotide and amino acid sequences referred to in the specification are defined following the bibliography.

One aspect of the present invention provides an isolated nucleic acid molecule comprising a nucleotide sequence or a complementary sequence corresponding to a gene or derivative thereof or a region of said gene facilitating its expression wherein said gene is specifically expressed in a male gamete of a plant.

Another aspect of the present invention is directed to a nucleic molecule comprising a nucleotide sequence or complementary sequence encoding an amino acid sequence selected from SEQ ID NO:4, SEQ ID NO:6 and SEQ ID NO:8 or an amino acid sequence having at least 40% similarity to any one of SEQ ID NO:4, SEQ ID NO:6 or SEQ ID NO:8 wherein said nucleic acid molecule exhibits male gamete specific expression in plants.

Another aspect of the present invention provides an isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence selected from the group consisting

of SEQ ID NO:3, SEQ ID NO:5 and SEQ ID NO:7 or a nucleotide sequence having at least 50% similarity to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7 or is a nucleotide sequence capable of hybridizing to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7 under low stringency conditions at 42°C.

Still yet another aspect of the present invention provides a nucleic acid molecule comprising a promoter or functional derivative thereof which directs plant male gamete specific expression in a nucleotide sequence operably linked thereto.

Even still another aspect of the present invention provides an isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence which is capable of hybridizing under low stringency conditions at 42°C to a genomic region encompassing at least about 2kbp upstream of the nucleotide sequence corresponding to any one of SEQ ID NO:3 or SEQ ID NO:5 or SEQ ID NO:7 and wherein said nucleic acid molecule is capable of directing plant male gamete specific expression of a nucleotide sequence operably linked thereto.

Another aspect of the present invention is directed to an isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence substantially as set forth in SEQ ID NO:9 or a nucleotide sequence capable of hybridizing thereto under low stringency conditions at 42°C or a nucleotide sequence having at least 50% similarity to SEQ ID NO:9 and wherein said molecule is capable of directing plant male gamete specific expression of a nucleotide sequence operably linked thereto.

A further aspect of the present invention contemplates a method of inducing or otherwise facilitating male sterility in a plant, said method comprising operably linking a cytotoxic nucleic acid molecule to a promoter which directs male gamete specific expression in said plant such that upon expression of said promoter, the cytotoxic nucleic acid molecule is expressed to produce a product which inactivates, kills or otherwise renders substantially non-functional male gametes in said plant.

Another aspect of the present invention provides a genetic construct comprising a male gamete

specific promoter, as hereinbefore described, operably linked to a transposase gene, said transposase gene capable of inducing transposition of a transposable element, such that upon expression of said promoter, the transposase gene is expressed facilitating transposition of said transposable element.

Reference herein to "male gamete" includes reference to generative cells and sperm cells.

BRIEF DESCRIPTION OF THE FIGURES

Figure 1 is a representation of the nucleotide [SEQ ID NO:3] and predicted amino acid [SEQ ID NO:4] sequence of *LGC1*.

Figure 2 is a photographic representation showing expression of *LGC1* mRNA in different tissues of lily. (**A**) Northern blot of the indicated tissues probed with ^{32}P-labelled *LGC1* probe. GCs, generative cells. (**B**) RT-PCR of different tissues. Pollen mRNA includes contribution of both generative cell and vegetative cell. Numbers 16, 31, 64 represent 1/16, 1/32, and 1/64 of the mRNA input respectively and so forth. Molecular sizes are indicated on the left.

Figure 3 is a photographic representation showing in situ hybridization of *LGC1* mRNA to whole mount lily pollen. Dark staining in the generative cell (arrowhead) represents hybridization signals detected by an alkaline phosphatase conjugated anti-DIG antibody. The outer wall of pollen, exine appears as a sculptured pattern. (**A**) Pollen probed with a DIG-UTP labelled *LGC1* antisense riboprobe. (**B**) Control pollen probed with a sense riboprobe.

Figure 4 is a photographic representation showing *in situ* hybridization of *LGC1* mRNA to whole mount lily pollen at different developmental stages. For a better resolution, protoplasts of developing pollen were released from sculptured exine, the outer wall of pollen (9). Developing pollen (**A-E**) and pollen tube (**K**) probed with a DIG-UTP labelled riboprobe and then counter-stained with 4′, 6′-diamidino-2-phenyl indole (DAPI) to visualize the vegetative and generative nuclei within pollen (**F-J**) and sperm nuclei in pollen tube (**L**). Arrowheads indicate the generative cell at early developmental stages. GN, generative nucleus; VN,

vegetative nucleus; SC, sperm cell; SN, sperm nucleus.

Figure 5 is a representation showing nucleotide [SEQ ID NO:5] and deduced amino acid [SEQ ID NO:6] sequences of the *gcH2A* cDNA. The predicted amino acid sequence (numbered at right) is given below the corresponding nucleic acid sequence (numbered at left).

Figure 6 is a representation showing nucleotide [SEQ ID NO:7] and deduced amino acid [SEQ ID NO:8] sequences of the Full Length *gcH3* cDNA. Numbers at left indicate base positions of the nucleotide sequence, numbers at right residue positions of the derived amino acid sequence.

Figure 7 is a photographic representation showing expression pattern of gcH2A and gcH3.

Figure 8 is a photographic representation showing *in situ* hybridization of gcH2A and gcH3 in pollen. Pollen exine was removed for a better visualising of signal.

(A) Pollen probed with showing strong hybridization signal in the generative cell.

(B) Control pollen probed with DIG-labelled sense gcH2A.

(C) Pollen probed showing strong hybridization signal in the generative cell.

(D) Control pollen probed with DIG-labelled sense gcH3.

Figure 9 is a photographic representation showing expression of gcH2A and gcH3 during pollen development. *In situ* hybridization of microspores immediately after formation of generative cell (A, D, G), nearly mature pollen (B, E, H) and mature pollen (C, F, I). Arrow heads indicate nearly formed generative cell, VN, vegetative nucleus, GN, generative cell nucleus. Pollen exine was removed for a better visualising of signal.

(A), (B), (C) samples probed with DIG-labelled antisense gcH2A showing strong hybridization signal only in mature pollen.

(G), (H), (I) samples probed with DIG-labelled antisense gcH3 showing hybridization signal only in mature pollen.

(D), (E), (F) DAPI staining of corresponding developmental stages.

Figure 10 is a representation of the nucleotide sequence of the LGC1 promoter. The

transcription start site (nucleotide position 817) and the translation start site (nucleotide position 894) are shown bold and are underlined.

Figure 11 is a diagrammatic representation showing various constructs comprising the LGC1 promoter, a DNA sequence operably linked thereto and a selectable marker gene (reporter genetic sequence).

Figure 12(A) is a diagrammatic representation of a genetic construct comprising the *LGC1* promoter operably linked to a *Gus* reporter gene. The genetic construct further comprises a gene conferring a selectable marker.

Figure 12(B) is a photographic representation showing *Gus* gene expression using the genetic construct of Figure 12(A) in mature pollen counterstained with 4', 6'-diamindino-2-phenylindole (DAPI). The observed activity of the *LGC1* 5'-flanking region thus reflects expression of endogenous *LGC1* in lily pollen.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

The present invention provides an isolated nucleic acid molecule comprising a nucleotide sequence or a complementary sequence corresponding to a gene or derivative thereof or a region of said gene facilitating its expression wherein said gene is specifically expressed in a male gamete of a plant. A male gamete is considered to include a vegetative cell and a sperm cell.

The nucleic acid molecule of the present invention extends to a genomic or cDNA molecule corresponding to a gene or its derivative or a promoter of said gene or a functional derivative of said promoter, provided the promoter permits male gamete specific expression of the gene or its derivative.

The plant may be a monocotyledonous or dicotyledonous plant. Preferred plants include but are not limited to legumes, crop, cereal and native grasses, fruiting plants, flowering plants amongst many others. One particularly preferred plant is a lily plant.

In another embodiment, the present invention is directed to a nucleic molecule comprising a nucleotide sequence or complementary sequence encoding an amino acid sequence selected from SEQ ID NO:4, SEQ ID NO:6 and SEQ ID NO:8 or an amino acid sequence having at least 40% similarity to any one of SEQ ID NO:4, SEQ ID NO:6 or SEQ ID NO:8 wherein said nucleic acid molecule exhibits male gamete specific expression in plants. The preferred gene of this aspect of the present invention is referred to as the *"LGC1"* gene.

Preferably, the percentage similarity is at least about 50%, more preferably at least about 60%, still more preferably at least about 70%, yet even more preferably at least about 80-90% or greater to any one of SEQ ID NO:4, SEQ ID NO:6 or SEQ ID NO:8.

Another aspect of the present invention provides an isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence selected from the group consisting of SEQ ID NO:3, SEQ ID NO:5 and SEQ ID NO:7 or a nucleotide sequence having at least 50% similarity to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7 or is a nucleotide

sequence capable of hybridizing to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7 under low stringency conditions at 42°C.

Preferably, the percentage level of nucleotide similarity is at least about 60%, more preferably at least about 70%, still more preferably at least about 80%, yet still more preferably at least about 90% or greater to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7.

Reference herein to a low stringency at 42°C includes and encompasses from at least about 1% v/v to at least about 15% v/v formamide and from at least about 1M to at least about 2M salt for hybridisation, and at least about 1M to at least about 2M salt for washing conditions. Alternative stringency conditions may be applied where necessary, such as medium stringency, which includes and encompasses from at least about 16% v/v to at least about 30% v/v formamide and from at least about 0.5M to at least about 0.9M salt for hybridisation, and at least about 0.5M to at least about 0.9M salt for washing conditions, or high stringency, which includes and encompasses from at least about 31% v/v to at least about 50% v/v formamide and from at least about 0.01M to at least about 0.15M salt for hybridisation, and at least about 0.01M to at least about 0.15M salt for washing conditions. In general, washing is carried out $T_m = 69.3 + 0.41$ (G+C)% [19]. However, the T_m of a duplex DNA decreases by 1°C with every increase of 1% in the number of mismatch base pairs (20).

The term "similarity" as used herein includes exact identity between compared sequences at the nucleotide or amino acid level. Where there is non-identity at the nucleotide level, "similarity" includes differences between sequences which result in different amino acids that are nevertheless related to each other at the structural, functional, biochemical and/or conformational levels. Where there is non-identity at the amino acid level, "similarity" includes amino acids that are nevertheless related to each other at the structural, functional, biochemical and/or conformational levels.

Preferably, comparisons of nucleotide and amino acid sequences are in terms of percentage identity and this includes the number of exact nucleotide or amino acid matches having regard to an appropriate alignment using a standard algorithm, such as but not limited to the Geneworks

programme (Intelligenetics).

Reference to a "derivative" herein includes single or multiple nucleotide or amino acid substitutions, deletions and/or additions as well as parts, fragments, portions, homologues and analogues of the nucleotide or amino acid sequence.

The nucleic acid molecules of the present invention are specifically expressed in male gametes of plants, ie. in the generative cells. The male gamete specific expression is determined in part by the male gamete specific promoter.

Accordingly, another aspect of the present invention provides a nucleic acid molecule comprising a promoter or functional derivative thereof which directs plant male gamete specific expression in a nucleotide sequence operably linked thereto.

More particularly, this aspect of the present invention provides an isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence which is capable of hybridizing under low stringency conditions at 42°C to a genomic region encompassing at least about 2kbp upstream of the nucleotide sequence corresponding to any one of SEQ ID NO:3 or SEQ ID NO:5 or SEQ ID NO:7 and wherein said nucleic acid molecule is capable of directing plant male gamete specific expression of a nucleotide sequence operably linked thereto.

Even more particularly, this aspect of the present invention is directed to an isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence substantially as set forth in SEQ ID NO:9 or a nucleotide sequence capable of hybridizing thereto under low stringency conditions at 42°C or a nucleotide sequence having at least 50% similarity to SEQ ID NO:9 and wherein said molecule is capable of directing plant male gamete specific expression of a nucleotide sequence operably linked thereto.

The nucleotide sequence of SEQ ID NO:9 represents the promoter of the LGC1 gene and is referred to herein as the LGC1 promoter. The present invention encompasses the LGC1 promoter comprising a nucleotide sequence substantially as set forth in SEQ ID NO:9 or any

derivative thereof which includes mutants, fragments, homologues and analogues thereof. Such derivatives are conveniently further defined by being able to hybridize under low stringency conditions at 42°C to SEQ ID NO:9 and/or have a nucleotide sequence of about 50% similarity to SEQ ID NO:9. Generally, the derivatives retain at least partial promoter activity and, hence, are "functional" derivatives. However, non-functional derivatives are also encompassed by the present invention since these have utility, for example, in inhibiting promoter activity and as probes for other similar promoters.

In SEQ ID NO:9, the transcription start site is at nucleotide position 817 and the translation start site (ATG) is at nucleotide position 894.

The present invention further extends to a variety of genetic constructs comprising the LGC1 promoter or its derivatives together with a nucleotide sequence operably linked to the promoter and optionally a report molecule. Examples of nucleotide sequences operably linked to the promoter include, but are not limited to, those encoding GUS, GFP, ribonuclease, DTA, antisense molecules, transposons, ribozymes and lethal genes amongst many others.

The identification of a male gamete specific promoter and gene permits the generation of a range of male sterile plants as well as male gamete specific transposon tagging.

In one embodiment, the present invention contemplates a method of inducing or otherwise facilitating male sterility in a plant, said method comprising operably linking a cytotoxic nucleic acid molecule to a promoter which directs male gamete specific expression in said plant such that upon expression of said promoter, the cytotoxic nucleic acid molecule is expressed to produce a product which inactivates, kills or otherwise renders substantially non-functional male gametes in said plant.

The cytotoxic nucleic acid molecule may encode or comprise a cytotoxic protein, an antisense molecule to a particular gene, a ribozyme or a plantabody amongst many other molecules.

Preferably, the promoter corresponds to a nucleotide sequence which hybridizes under low

stringency conditions to a genomic region comprising at least about 2kbp upstream of a gene corresponding to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7. More particularly, the promoter is the LGC1 promoter or its derivatives.

Alternatively, the cytotoxic nucleic acid molecule is fused to the gene naturally operably linked to said promoter such that upon expression of said gene, the cytotoxic nucleic acid molecule inactivates, kills or otherwise renders substantially non-function a male gamete in said plant.

In another embodiment, the male gamete specific promoter and/or gene is used to facilitate male gamete specific transposon tagging. This facilitates the product of pollen grains in a plant carrying a transponson tag. Offspring can then be screened for a range of phenotypes of interest and then, in turn, the transponson tagged plants used to clone particular genes.

Accordingly, another aspect of the present invention provides a genetic construct comprising a male gamete specific promoter, as hereinbefore described, operably linked to a transposase gene, said transposase gene capable of inducing transposition of a transposable element, such that upon expression of said promoter, the transposase gene is expressed facilitating transposition of said transposable element.

A particularly useful transposon system is the Ds^{ALS} system (1, 5) where the activator (Ac) transposase would be under the control of the promoter of the present invention to facilitate transposition of the dissociation (Ds) element.

In accordance with the present invention a plant is selected such as a crop plant, legume, grass plant or flowering plant amongst other monocots and dicots and a callus culture prepared. A genetic construct comprising the male gamete specific promoter and optionally male gene specific gene naturally associated with said promoter operably linked to a cytotoxis nucleic acid molecule or a transposase gene is introduced into callus cells. A plant is then regenerated. The male gamete specific construct may be under additional control mechanisms such as environmental, developmental, physiological or nutritional control mechanisms such that upon provision of these mechanisms, the male gamete specific promoter is activated. In any event,

upon expression of the male gamete specific promoter, transposon tagging will occur or the cytotoxic nucleic acid will be expressed. This will result in tagged pollen or male sterility.

Male sterile plants containing a range of transposon insertions and genetic constructs useful of the practice of the present invention are all encompassed by the present invention as are all offspring or progeny, new plant varieties and mutant plants.

The present invention extends to the promoter as herein described as well as functional mutants thereof. A functional mutant includes promoter fusions to other promoters, as well as single or multiple nucleotides, deletions, additions and/or substitutions including parts, fragments, portions, homologues and analogues thereof.

Although not intending to limit the present invention to any one type of male gamete specific gene or promoter, genes and their promoters encoding histones are particularly useful.

Another benefit of the present invention provides the potential to develop seedless fruit or fruit with reduced seed content. This is particularly applicable where pollination stimulates fruit development and where the lack of fertilization results in seedless fruit.

The present invention extends to any transposable element such as but not limited to *Ac, Ds, En/Spm, dspm,* Tam3, dTam3, Mu1, Tat1, Tag1, dTph1, Tnt1, Tto1, Tto2, Ac-like, dTnp and Tos17. These elements are conveniently reviewed in the reference (16).

The present invention is further described by the following non-limiting Examples.

EXAMPLE 1

ISOLATION OF *LGC1*

Generative cells from lily *(Lilium longiflorum)* were isolated and mRNA isolated therefrom. Generative cells were isolated from fresh pollen of lily as previously described (6) and stored at -70°C until use. mRNA was extracted directly from approximately 1 x 10^5 of stored generative cells using a mRNA purification kit (Pharmacia-LKB). Purified generative cell mRNA was reverse transcribed and the resultant cDNA was amplified by PCR, size fractionated and cloned into λgt11 expression vector.

A differential hybridization approach was used to obtain a cDNA clone corresponding to a gene specifically expressed in generative cells. The clone was designated *LGC1*. In the differential hybridization approach, a number of cDNA clones were randomly picked from a generative cell cDNA library and cDNA inserts obtained by PCR with λgt11 forward and reverse primers. PCR conditions were 30 cycles of 1 min at 94°C, 2 min at 60°C and 3 min at 72°C with a final extension at 72°C for 10 min. The amplified cDNA inserts were purified, labelled with ^{32}P by random priming (Bresatec Ltd, South Australia) and used for probing of RNA slot blots containing approximately 300 ng of mRNAs from various tissues including leaf, stem, petal, stigma/style, ovary, pollen and generative cells. Hybridization and washing was performed as previously described (18). cDNA clones showing preferential or specific hybridization to generative cell mRNA were selected for further analysis.

The cDNA insert of one clone, *LGC1*, was subcloned into pBluescript(SK)+(Stratagene) and sequenced with ABI PRISM (trademark) dye terminator cycle sequencing kit (Perkin-Elmer). The *LGC1* cDNA insert was shown to be 618 bp in length encoding a predicted gene product of 128 amino acids with a calculated molecular weight of 13.8 kDa (Figure 1). *LGC1* corresponds to a 0.6 kbp transcript which is present at a high level in generative cells as revealed by Northern blot analysis (Figure 2A).

No signal was detectable in the two vegetative tissues tested, leaf and stem, while a faint signal was visible in pollen containing generative cells. The tissue specificity of *LGC1* was further

examined by RT-PCR using gene specific PCR primers that amplify a 0.3 kbp portion of the coding region. For RT-PCR, mRNAs from generative cells and various tissues were reverse transcribed and amplified by PCR with a pair of sequence specific primers (L13A: 5'-GTACTCTTAAGCATACAACATGAG -3' [SEQ ID NO:1]; L13B: 5'-CAGGCATACTTGAATGCTACAAGA-3' [SEQ ID NO:2]) using the Access RT-PCR System (Promega). For each tissue, mRNA was subjected to a serial two-fold dilutions. Based on the signal intensity of the amplified products, the relative amount of *LGC1* mRNA in each tissue was estimated.

RT-PCR amplifications were performed using controlled amount of RNA input from various tissues of lily plant. A PCR product of expected size (0.3 kbp) was obtained in generative cells and pollen but not in all the other tissues tested including vegetative parts such as leaf, stem as well as reproductive parts such as petal, female stigma/style and ovary (Figure 2B). Based on the signal intensity, the inventors estimated that approximately 20 fold more PCR product was obtained when generative cell mRNA was used as compared to pollen mRNA. Since the generative cell constitutes a small portion of pollen, the inventors considered that the amplified *LGC1* product obtained using pollen mRNA input may represent the contribution of generative cell only. Generative cell specificity of *LGC1* was further confirmed by *in situ* hybridization as hereinafter described.

Non-radioactive whole mount *in situ* hybridization was performed in both developing and mature pollen based on the protocols previously described (3, 4, 5). Fresh pollen at various developmental stages was fixed (1% v/v glutaraldehyde in 50 mM PIPES buffer, pH 7.4) for 2 hours at room temperature. The fixed pollen was then washed in buffer and stored in 70% v/v ethanol at 4°C until use. Both sense and antisense riboprobes labelled with DIG-UTP were generated from linearized DNA templates. The hybridization signal was detected with an alkaline phosphatase conjugated anti-DIG antibody using a DIG nucleic acid detection kit (Boehringer Mannheim). To obtain a better resolution, protoplasts of developing pollen were released from exine (the outer wall of pollen) by treatment with enzyme solution (1% w/v Macerozyme, 0.5% w/v Cellulase and 0.5% w/v BSA) as previously described (6). Vegetative and generative nuclei within pollen were visualized by counter-staining with 4', 6'-diamindino-2-

phenyl indole (DAPI).

The results clearly showed that *LGC1* mRNA is confined to the generative cell in mature pollen (Figure 3). *LGC1* mRNA in pollen as detected by Northern blot and RT-PCR own their origin to the generative cell.

To determine whether *LGC1* mRNA present in the generative cell is the product of generative cell specific gene activity or the result of asymmetric RNA localization and partitioning prior to generative cell formation in developing pollen, the inventors monitored *LGC1* mRNA accumulation during this process. The inventors examined six different developmental stages of generative cells. At the early stage, the newly formed generative cell is attached at one pole of pollen with the vegetative nucleus located in its vicinity (Figures 4A, F). As the development progresses, the generative cell starts to detach itself from the intine (inner cell wall of pollen) while the vegetative nucleus moves towards the centre of pollen (Figures 4B, G). No detectable signal was observed in these two early developmental stages (Figures 4A, B). With rapid size expansion of pollen, the generative cell separates completely from the intine and suspends freely within the vegetative cell cytoplasm. At this stage, its shape becomes elongated with a large nucleus in the centre and most of cytoplasm at both ends of the cell (Figures 4C, H). A weak signal was detected at both ends of the generative cell, indicating the initiation of *LGC1* mRNA transcription (Figures 4C). As the development continues, the generative cell becomes spindle-shaped (Figures 4D, I) and accumulation of *LGC1* mRNA in the generative cell becomes more evident (Figures 4D). At the time of pollen maturity, a very high level of *LGC1* mRNA were observed in the generative cell (Figure 3A, Figures 4E, J). Next, pollen germination occurs on female stigma and pollen tubes grow inside the female stylar tissue. The generative cell then moves into pollen tube and undergoes a mitotic division producing two male gametes, the sperm cells (Figures 4K, L). *LGC1* mRNA was clearly detectable in the two sperm cells inside the pollen tubes (Fig. 4K) as described more fully below.

In lily, generative cell division occurs in the pollen tube during its growth in the female stylar tissue. *In situ* hybridization of mRNA in sperm cells, therefore, can only be performed in pollen tube. Pollen tubes were grown *in vivo* by hand pollinating pistils with freshly collected pollen.

After 48 hours, a 1 cm long segment was taken from the base of the style and cut into two symmetrical halves. Pollen tubes growing in the hollow stylar canal were teased out, fixed and then used for *in situ* hybridization as described above.

No signal was detected in the vegetative cell at any stage of pollen development. These results show that the generative cell specific accumulation of *LGC1* mRNA is due to differential gene activation of generative cell.

Male germ line specific gene expression represents a new aspect of fundamental importance in flowering plants. *LGC1* is the first male germ line specific gene to be identified in flowering plants and thus, the present study of generative cell specific gene expression has important implications in understanding the molecular bases of male gamete development. Several aspects of research can immediately benefit from the availability of this gene and its promoter. For example, selective ablation of the male gametes can be achieved using generative cell specific promoter- cytotoxin fusions. The availability of *LGC1* gene promoter will make it possible to introduce marker genes for monitoring the process of sperm-egg recognition and fusion at molecular level. Furthermore, the male gamete specific promoter may be used to generate a range of transposos to specify tagged pollen genes.

EXAMPLE 2

MALE GAMETE CELL SPECIFIC EXPRESSION OF H2A AND H3 HISTONE GENES

The following Examples shows the identification of two cDNA clones, *gcH2A* and *gcH3*, which encode male gamete-specific variants of histones H2A and H3, respectively. The inventors show that both *gcH2A* and *gcH3* mRNAs accumulate exclusively within the male germ line cell, the generative cell. An examination of the spatial distribution of *gcH2A* and *gcH3* transcripts during pollen development show that initiation of expression of these genes occurs in generative cell at the later stages of pollen maturation. The results indicate that these histone variants are the products of generative cell transcriptional activity. This example provides the first insight of male germ line cell specific histone gene expression in flowering plants.

1. INTRODUCTION

Histones are the major protein constituents of the chromatin of eukaryotic cell nuclei. Histone proteins include five major classes: four core histones, H2A, H2B, H3, H4 and one linker histone H1. The core histones are small, basic proteins (11-15 kDa) that contain a high proportion of positively charged amino acids, mainly lysine and arginine. Histones are highly conserved throughout evolution and are encoded by multigene families. Genes encoding major classes of histones are usually expressed in a cell cycle-dependent fashion at the beginning of the S (DNA synthesis) phase and are co-ordinately regulated at the transcriptional and post-transcriptional level through the cell cycle (7).

2. METHODS

(a) Construction and screening of cDNA library

Generative cells were isolated from mature pollen of lily (*Lilium longiflorum*) as previously described (8) and stored at -70°C until use. Poly(A)+ RNA was isolated from approximately 1×10^5 of stored generative cells using oligo (dT)-cellulose affinity column (Pharmacia) according to the manufacture's instruction. First-strand cDNA was synthesized with an oligo (dT) primer. A Capswitch primer was also used to ensure the synthesis of full length clones. The resultant cDNA was amplified by PCR using the following conditions: 35 cycles of 94^0C for 1 min, 42°C for 2 min and 72°C for 2 min. The PCR products were size-fractionated through a Sephadex-50 column and cDNAs of appropriate size were cloned into λgt11 expression vector.

For screening, a number of cDNA clones was randomly picked and cDNA inserts were obtained by PCR with λgt11 forward and reverse primers. Differential screening was conducted by probing RNA slot blots of various tissues with the amplified cDNA inserts. cDNA clones showing strong hybridization to generative cell RNA, weak hybridization to pollen RNA and no hybridization to other tissues were considered to be putative generative cell-specific clones.

(b) Sequencing analysis

The putative generative cell cDNA clones were subcloned into pBluescript II SK+ (Stratagene). Sequencing was performed on both strands by the dideoxy chain-termination method (9) using ABI PRISM (trademark) dye terminator cycle sequencing kit (Perkin-Elmer) with an automated DNA sequencer. Sequence-specific primers were used to generate overlapping sequence information. DNA and protein sequence analysis was performed using BLAST search tools.

(c) RNA gel blot analyses

Total RNA was prepared from various tissues (10). Generative cell RNA was isolated using SNAP RNA extraction kit (Invitro Gene) according to the manufacture's procedure. For gel blot analysis, 20 μg of total RNA was separated by denatured agarose gel electrophoresis, blotted onto Hybond N+ nylon membrane (Amersham) and probed with ^{32}P-labelled *gcH2A* and *gcH3* cDNA inserts. Hybridization of probes with RNA blots was performed in 50% v/v deionised formamide, 2 x SSPE (1 x SSPE is 0.15 M NaCl, 0.01 M NaH_2PO_4, and 1 mM EDTA, pH 7.4), 1% w/v PEG, 0.5% w/v BLOTTO, 7% w/v SDS and 0.5mg/ml denatured salmon sperm DNA at 42°C overnight. The blots were washed with 2 x SSC (1 X SSC is 0.15 M NaCl and 15 mM sodium citrate, pH 7.0), 0.1% w/v SDS at room temperature for 15 min and with 0.2 x SSC, 0.1% w/v SDS at 65°C for 15 min, followed by a brief wash in 0.2 x SSC. The blots were re-probed with lily ribosome RNA to verify the relative amount of RNAs loaded.

(d) *In situ* hybridization

Non-radioactive whole mount *in situ* hybridization was performed based on the protocols described (11, 12, 13). Developmental stages of pollen were determined using 4', 6'-diamidino-2-phenyl indole (DAPI) staining. Mature and developing pollen was treated with an enzyme solution (1% w/v macerozyme, 0.5% w/v cellulase and 0.5% w/v BSA) for 1 hour to remove the exine (the outer wall of pollen). Pollen protoplasts were then washed in 50 mM PIPES buffer and fixed in 1% v/v glutaraldehyde in 50 mM PIPES buffer, pH 7.4, for 2 hours at room temperature. The fixed pollen was then washed in 50 mM PIPES buffer and stored in 70% v/v

ethanol at 4°C.

Prior to hybridization, pollen samples were first dehydrated through an ethanol series up to 100% v/v ethanol. Samples were then treated with xylene (2 x 10 min) followed by rehydration through an ethanol series. Proteinase K (1μg/ml) treatment was carried out in 100 mM Tris-HCl, pH 8 and 50 mM EDTA for 40 min at 37°C. Digoxigenin-labelled riboprobes were synthesized by *in vitro* transcription (Promega). Hybridization was performed in 50% v/v formamide, 6 x SSC, 3% w/v SDS, 100 μg/ml tRNA at 55°C overnight. Samples were then washed in 1 x SSC, 0.1% w/v SDS at room temperature followed by 2 x 10 min washes in 0.2 SSC, 0.1% w/v SDS at 55°C. RNase A (10 μg/ml) treatment was performed in 2 x SSC for 1 hour at 37°C. Hybridization signal was detected using a DIG detection kit (Boehringer Mannheim) according to the manufacture's specification. Vegetative and generative cell nuclei were visualized by counter-staining with DAPI.

RESULTS

Isolation and Characterisation of histone *gcH2A* and *gcH3* cDNA clones

Lily (*Lilum longiflorum*) was used as an experimental system in accordance with the present Example. Within the pollen grain, the male germ line cell (generative cell) is enclosed in the much larger vegetative cell. To maximize the chance of obtaining genes specifically expressed in the generative cell, the inventors prepared a cDNA library using polyA(+) RNA from isolated generative cells. The cDNA library was screened by differential hybridization using probes from generative cells, pollen, leaf, stem, pistil and ovary. cDNA clones that gave strong positive hybridization signal with generative cell mRNA, weak signal with pollen mRNA and no signal with mRNA from other tissues were considered as putative generative cell specific clones. These cDNA clones were subjected to further analysis. Two of these clones were found to encode proteins which were identified as variants of histone H2A and H3, respectively. The two clones were designated "*gcH2A*" and "*gcH3*".

gcH2A cDNA is 581 bp long and contains an open reading frame of 333 bp starting from the first

ATG at position 49 to a stop codon TAA at position 379 (Figure 1). The derived amino acid sequence of *gcH2A* is composed of 111 amino acids and encodes a protein with a calculated molecular mass of 12.1 kDa. gcH2A polypeptide contains 10.8% arginine and 5.4 % lysine. The deduced amino acid sequence of *gcH2A* shows high levels of sequence similarity as well as variability when compared to somatic H2A histones from other organisms. The N-terminal region of the protein appeared to be more conserved than the C-terminal region. In addition, gcH2A polypeptide is 30-35 amino acids shorter at the C-terminus than somatic H2A histone. It has been reported that the C-terminal variable regions of wheat somatic histones can be of two structural different types (14). Type 1 H2A proteins have one or two copies of a SPKK motif which is known to interact with the minor groove of the DNA, whereas type 2 H2A proteins have a shorter C-terminal variable region and no SPKK motif. Using these criteria, the lily generative cell specific H2A *(gcH2A)* histone can be classified as type 2 since the C-terminal region of *gcH2A* does not contain a SPKK motif.

The complete sequence of the *gcH3* cDNA clone is shown in Figure 6. The *gcH3* cDNA is of 485 nucleotides and contains a putative open reading frame of 336 bp encoding a protein of 112 amino acids. The predicted gcH3 polypeptide, containing 8% arginine and 12.5% lysine, has a calculated molecular mass of 12.5 kDa. When compared to somatic histone H3, the deduced amino acid sequence of *gcH3* exhibits two highly conserved regions located near both terminus of the polypeptide and a variable region of 14 amino acids (position 50 to 64) in the centre region.

Both *gcH2A* and *gcH3* histone clones were transcribed as polyadenylated mRNAs. Sequencing analysis revealed A/T rich regions resembling the polyadenylation consensus signal and polyadenylated tract bases at their 3' ends (Figures 5 and 6).

To determine the expression patterns of *gcH2A* and *gcH3*, RNA blot analysis was performed with RNA samples from various organs including generative cells, pollen grain, young expanding leaf, stem, pistil and ovary. Considering the highly conserved nature of the histone coding region, hybridization and washing were conducted at high stringency to avoid cross hybridizations with other somatic histone mRNAs. mRNAs corresponding to both *gcH2A* and

gcH3 were detected in generative cells (Fig. 7). A weak hybridization signal was also detected in pollen whereas neither vegetative nor other floral tissues tested showed detectable levels of *gcH2A* and *gcH3* mRNAs. Since pollen grains contain both vegetative and generative cells, it was apparent that the fainter signal detected in pollen RNA was due to the contribution of generative cell only. The inventors tested young leaf and stem tissues from seedlings which have a large number of dividing cells by RNA gel blot as well as RT-PCR analyses. No expression, neither of *gcH2A* nor of *gcH3* was detected. Since the tissues tested represent a broad spectrum of plant organs, it was concluded that both *gcH2A* and *gcH3* are expressed in generative cells only. From the intensity of the hybridization signal, it can be assumed that *gcH2A* is a highly abundant gene, whereas *gcH3* represents a lowly expressed transcript.

The inventors examined the spatial distribution of *gcH2A* and *gcH3* mRNAs within pollen by *in situ* hybridization. Digoxigenin (DIG) labelled *gcH2A* and *gcH3* were used to probe whole-mount pollen grains. Accumulation of both *gcH2A* and *gcH3* mRNAs were clearly confined to the generative cell of pollen whereas no hybridization signal was detected in the vegetative cells of pollen (Figures 8a, c). No signal was observed in pollen grain probed with control sense probes (Figures 8b, d). The accumulation of *gcH2A* in the generative cell appeared much higher than that of *gcH3*. The results obtained by *in situ* hybridization correspond to those of RNA gel blot analysis and clearly demonstrate the generative cell specificity of both *gcH2A* and *gcH3*.

To determine the temporal expression of *gcH2A* and *gcH3*, the inventors examined five developmental stages of male gametogenesis. It is well established that three DNA replications occur during male gametogenesis of flowering plants. The first replication occurs prior to meiosis in the microsporocyte or pollen mother cell which produces a tetrad of four haploid microspores. The second replication occurs in the microspore before the first mitotic division (pollen mitosis I) which produces a large vegetative cell and a small generative cell. The third replication takes place in the generative cell before the second mitosis (pollen mitosis II) which results in the formation of two male gametes (sperm cells). To determine whether *gcH2A* and *gcH3* are associated with any of these three DNA replications during male gametogenesis, the inventors performed *in situ* hybridization in microsporocyte, microspore and three stages of

generative cell development. No hybridization signal was observed in pre-meiotic microsporocytes and pre-mitotic microspores. Further, no *gcH2A* and *gcH3* mRNAs were detected in the newly formed generative cell soon after pollen mitosis I (Figures 9a, d, g). As development progresses into pollen maturation, the generative cell completely separates from the intine wall of pollen and suspends freely within the vegetative cell cytoplasm. At this stage, the generative cell becomes elongated and spindle-shaped with a large nucleus in the centre and most of its cytoplasm at both ends (Figures 9b, e, h). A weak signal was observed at both ends of the generative cell when probing with *gcH2A*, indicating the initiation of *gcH2A* mRNA transcription (Figure 9b). At the time of pollen maturity, the accumulation of *gcH2A* mRNA in the generative cell reached a very high level as indicated by the strong hybridization signal (Figure 7c). In comparison to this, the signal obtained with *gcH3* probe appeared much weaker (Figure 7i), and mRNA corresponding to the *gcH3* clone could only be detected at the mature stage of pollen development.

EXAMPLE 3

CLONING OF PROMOTER REGION OF LGC1

The promoter region of LGC1 was obtained by using the method of Uneven PCR [18]. A gene specific primer and an arbitrary primer were used to generate fragments directly from genomic DNA of lily. Two rounds of PCR amplification were performed.

For the first round of Uneven PCR, a LGC1 gene specific primer (5'-CAGGCATACTTGAATGCTACAAGA-3' [SEQ ID NO:10]) and an arbitrary 10-mer primer were used. 0.05 μM 10-mer primer, 0.25 μM gene specific primer, 20 ng lily genomic DNA, 200 μM dNTP and 2 units AmpliTaq were added in the 40 μl reaction mix. Cycling conditions of Uneven PCR were 94°C for 1 min, then for cycle 1, 94°C for 30 sec, 55°C for 1 min, 72°C for 1 min, for cycle 2, 94°C for 30 sec, 42°C for 1 min, 72°C for 1 min; cycle 1 and 2 were repeated 3 times. Then for cycle 7, 94°C for 15 sec, 57°C for 30 sec, 72°C for 30 sec; for cycle 8, 94°C for 15 sec, 45°C for 30 sec, 72°C for 30 sec, cycle 7 and 8 were repeated 20 times. Finally, the sample was held at 72°C for 5 min. A portion (0.5 μl) of the products from the first round were used as templates for the second round of Uneven PCR. All the components were the same as

in the first round except that a nested specific primers (5′-TGTGAACCATACAGAAGAGAACGC-3′ [SEQ ID NO:11]) were used to replace the first specific primer. The cycling conditions were: 94°C for 1 min; then for cycle 1, 94°C for 15 sec, 57°C for 30 sec, 72°C for 30 sec; for cycle 2, 94°C for 15 sec, 45°C for 30 sec, 72°C for 30 sec, cycle 1 and 2 were repeated 20 times; Finally, 72°C for 5 min.

The samples were size fractionated on 1% w/v agarose gel and blotted on a nylon membrane. The blot was probed with ^{32}P labelled-LGC1 cDNA. The bands hybridized to LGC1 cDNA were then subcloned into pGEM T-vector. DNA sequencing was performed on both strands by the dideoxy chain-termination method using ABI PRISM™ dye terminator cycle sequencing kit with an automated DNA sequencer.

The nucleotide sequence for the LGC1 promoter is shown in SEQ ID NO:9 and in Figure 10. The transcription start site is nucleotide position 817 and the translation start site (ATG) is nucleotide position 894.

EXAMPLE 4

CONSTRUCTS COMPRISING THE LGC1 PROMOTER

A variety of genetic constructs are made comprising the LGC1 promoter, a nucleotide sequence operably linked thereto and a reporter genetic sequence. Some of these constructs are shown in Figure 11.

EXAMPLE 5

GENERATIVE CELL SPECIFIC EXPRESSION OF LGC1 IN TRANSGENIC TOBACCO

To ascertain that the 5′ non-coding region of *LGC1* represents an active promoter and to study its expression pattern, 894 bp of *LGC1* upstream sequence were fused to the *Escherichia coli* β-glucuronidase *(Gus)* reporter gene (Fig. 12A). The chimaeric fusion construct was introduced into *Nicotiana tabacum* by *Agrobacterium*-mediated transformation. Several independent

transformants were obtained. Histochemical and fluorimetrical analysis of the transgenic plants for GUS enzyme activity demonstrated that 894 bp flanking region of *LGC1* were sufficient to direct gene expression in a generative cell specific manner. None of the transformants showed blue staining in vegetative tissues, like stem, leaf and root, or in different parts of the flower, such as petals, sepals, pistils and ovaries. Counterstaining of mature pollen with DAPI confirmed that *Gus* gene expression was clearly restricted to the generative cell. The observed activity of the *LGC1* 5'-flanking region thus reflects the expression of endogenous *LGC1* in lily pollen. The results are shown in Figure 12B.

Those skilled in the art will appreciate that the invention described herein is susceptible to variations and modifications other than those specifically described. It is to be understood that the invention includes all such variations and modifications. The invention also includes all of the steps, features, compositions and compounds referred to or indicated in this specification, individually or collectively, and any and all combinations of any two or more of said steps or features.

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CLAIMS:

1. (Amended)An isolated nucleic acid molecule comprising a nucleotide sequence or a complementary nucleotide sequence corresponding to a gene or derivative thereof or a region of said gene facilitating its expression wherein said gene is specifically expressed in generative cells and sperm cells of a plant but wherein said gene does not encode a histone.

2. An isolated nucleic acid molecule according to claim 1 wherein said plant is selected from a legume, crop plant, cereal plant, a grass, a fruiting plant and a flowering plant.

3. An isolated nucleic acid molecule according to claim 2 wherein the plant is a lily or a related plant.

4. An isolated nucleic acid molecule according to claim 3 comprising a nucleotide sequence which encodes an amino acid sequence selected from SEQ ID NO:4, SEQ ID NO:6 and SEQ ID NO:8 or an amino acid sequence having at least 40% identity to any one of SEQ ID NO:4, SEQ ID NO:6 or SEQ ID NO:8.

5. An isolated nucleic acid molecule according to claim 4 comprising a nucleotide sequence selected from the group consisting of SEQ ID NO:3, SEQ ID NO:5 and SEQ ID NO:7 or a nucleotide sequence having at least 50% identity to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7 or is a nucleotide sequence capable of hybridizing to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7 under low stringency conditions at 42°C.

6. An isolated nucleic acid molecule according to claim 1 or 3 wherein said nucleic acid molecule is a promoter or a functional derivative which directs plant generative cell and sperm cell specific expression.

7. An isolated nucleic acid molecule according to claim 6 comprising a nucleotide sequence or complementary nucleotide sequence which is capable of hybridizing under low stringency conditions at 42°C to a genomic region encompassing at least about 2 kbp upstream of the

genomic nucleotide sequence corresponding to any one of SEQ ID NO:3 or SEQ ID NO:5 or SEQ ID NO:7.

8. An isolated nucleic acid molecule according to claim 6 comprising a nucleotide sequence or complementary nucleotide sequence substantially as set forth in SEQ ID NO:9 or a nucleotide sequence capable of hybridizing thereto under low stringency conditions at 42°C or a nucleotide sequence having at least 50% identity to SEQ ID NO:9.

9. An isolated nucleic acid molecule comprising a nucleotide sequence or complementary nucleotide sequence substantially as set forth in SEQ ID NO:9 or a nucleotide sequence capable of hybridizing thereto under low stringency conditions at 42°C or a nucleotide sequence having at least 50% identity to SEQ ID NO:9 and wherein said nucleic acid molecule is capable of directing plant generative cell and sperm cell specific expression of a nucleotide sequence operably linked thereto.

10. An isolated nucleic acid molecule according to claim 9 wherein the nucleotide sequence operably linked to the nucleic acid molecule encodes or defines GUS, GFP, a ribonuclease, DTA, an antisense molecule, a transposon or a lethal gene.

11. (Amended)A method of inducing or otherwise facilitating male sterility in a plant, said method comprising operably linking a cytotoxic nucleic acid molecule to a promoter which directs plant generative cell and sperm cell specific expression in said plant such that upon direction by said promoter, the cytotoxic nucleic acid molecule is expressed to produce a product which inactivates, kills or otherwise renders substantially non-functional generative cells and/or sperm cells in said plant wherein said promoter is not a histone gene-specific promoter.

12. A method according to claim 11 wherein said plant is a legume, crop plant, cereal plant, a grass, a fruiting plant and a flowering plant.

13. A method according to claim 11 wherein the cytotoxic nucleic acid molecule encodes or comprise a cytotoxic protein, an antisense molecule to a particular gene, a ribozyme or a plantabody.

14. A method according to claim 11 wherein the promoter corresponds to a nucleotide sequence which hybridizes under low stringency conditions to a genomic region comprising at least about 2kbp upstream of a gene corresponding to any one of SEQ ID NO:3, SEQ ID NO:5 or SEQ ID NO:7.

15. A method according to claim 14 wherein the promoter comprises a nucleotide sequence substantially as set forth in SEQ ID NO:9 or a nucleotide sequence capable of hybridizing thereto under low stringency conditions at 42°C or a nucleotide sequence having at least 50% identity to SEQ ID NO:9.

16. (Amended) A genetic construct comprising a generative cell and sperm cell specific promoter operably linked to a transposase gene, said transposase gene capable of inducing transposition of a transposable element such that upon expression of said promoter, the transposase gene is expressed facilitating transposition of said transposable element wherein said promoter is not a histone gene-specific promoter.

17. A genetic construct according to claim 16 wherein where the promoter comprises a nucleotide sequence substantially as set forth in SEQ ID NO:9 or a nucleotide sequence capable of hybridizing thereto under low stringency conditions at 42°C or a nucleotide sequence having at least 50% identity to SEQ ID NO:9.

18. A genetic construct according to claim 16 or 17 wherein the transposase gene is the activator (Ac) transposase.

19. A male sterile plant generated by the method of any one of claims 11 to 15.

20. A male sterile plant according to claim 19 which provides seedless fruit or fruit with reduced seed content.

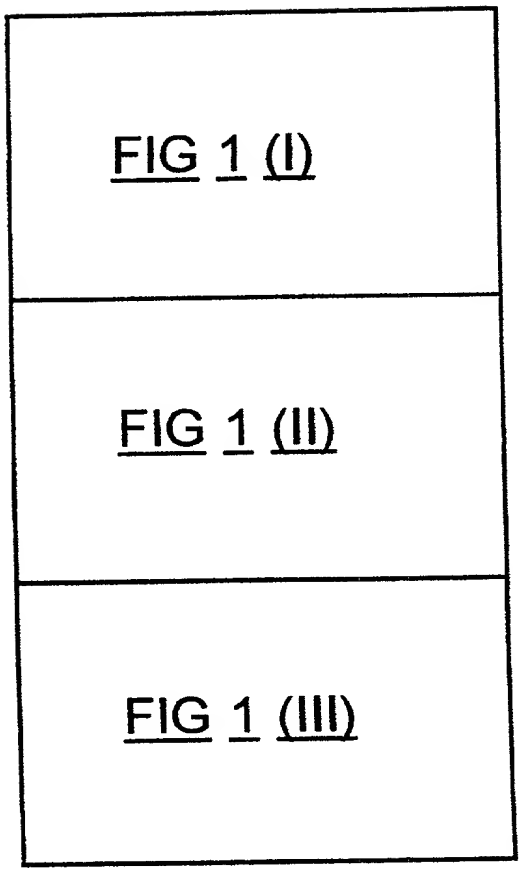

FIG 1

FIGURE 1 (I)

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GCCATCCCAT CAACAGAAGG TTTAAGTGGA AATCCATTTC ATTAGAAAAG          50

ATCGGACAAA GGGTACTCTT AAGCATACAA C ATG AGG GCG GTG GCG           96
                                   Met Arg Ala Val Ala
                                     5

GTT TTC TTT GCT TGC GTT CTC TTC TGT ATG GTT CAC AAA GCC         138
Val Phe Phe Ala Cys Val Leu Phe Cys Met Val His Lys Ala
                10                  15

GCA CTT GCG GAT GAT AAA ACG TGC AAC CCT ACA GAT TTT ATG         180
Ala Leu Ala Asp Asp Lys Thr Cys Asn Pro Thr Asp Phe Met
 20             25                  30

GTT ACC CAA ACC ATA ACT GGA TTG ACA ATC GGC GGT AAA CAA         222
Val Thr Gln Thr Ile Thr Gly Leu Thr Ile Gly Gly Lys Gln
     35             40                  45

GAG TTC GAG GTC AAT TTA ATA AAC AAT TTG TAT TGT GCA CAA         264
Glu Phe Glu Val Asn Leu Ile Asn Asn Leu Tyr Cys Ala Gln
         50             55                  60
```

FIGURE 1 (II)

```
                                                                    306
TCT AAT GTC AAA GTT TCA TGT GAC GGG CTT CAT ACC ACC ACC GAA
Ser Asn Val Lys Val Ser Cys Asp Gly Leu His Thr Thr Thr Glu
            65                  70                  75

                                                                    348
CCA ATA GAT CCT CAC ATT ATC AGA CCA CTT AGT GAC GGA ACG
Pro Ile Asp Pro His Ile Ile Arg Pro Leu Ser Asp Gly Thr
        80                  85

                                                                    390
AAC AAC TGC CTT GTC AAC AAT GGA GCG CCT ATT TCT CAT GCT
Asn Asn Cys Leu Val Asn Asn Gly Ala Pro Ile Ser His Ala
    90                  95                  100

                                                                    432
ACT CTT GTA GCA TTC AAG TAT GCC TGG GAT GTT CCT CCA TCT
Thr Leu Val Ala Phe Lys Tyr Ala Trp Asp Val Pro Pro Ser
105                 110                 115

                                                                    468
TTC AGC ATC ATC AGC TCT GAT ATA AAT TGC TCC TAA
Phe Ser Ile Ile Ser Ser Asp Ile Asn Cys Ser OCH
            120                 125

                                                                    515
GGAGAAA ATTCTAGTTG GCAGAGAATA ATCATATAGT CTTTTTTACT
```

FIGURE 1 (III)

```
                                                                565
GAGCTATTTA ATTTTTTTCAA TTTTCACCAA TAAGATTATT TTAATGGAAT

                                                                615
GTTAATGTAT TAGAATTGAA AAATAAAAAA AAAAAAAAAA AAAAAAAAAA

                                                                625
AAAAAAAAAA
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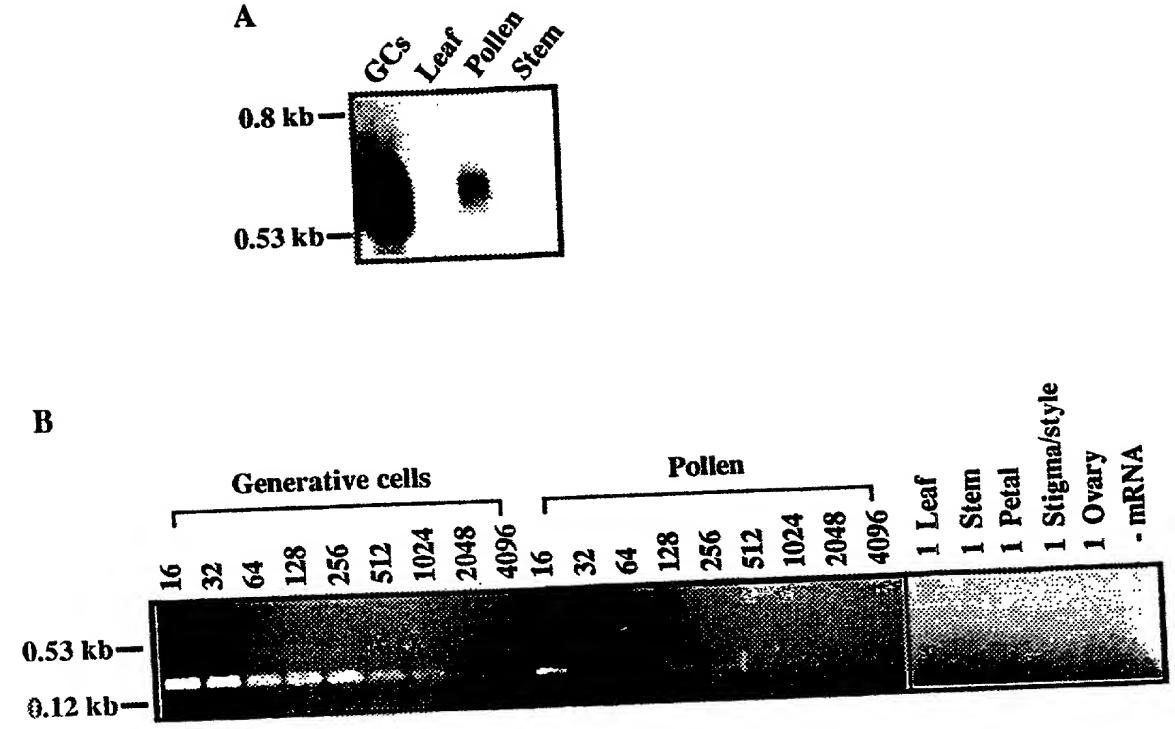
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GCs
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0.53 kb
B
Generative cells
Pollen
16
32
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256
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16
32
64
128
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1 Stigma/style
1 Ovary
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0.12 kb

FIG 2

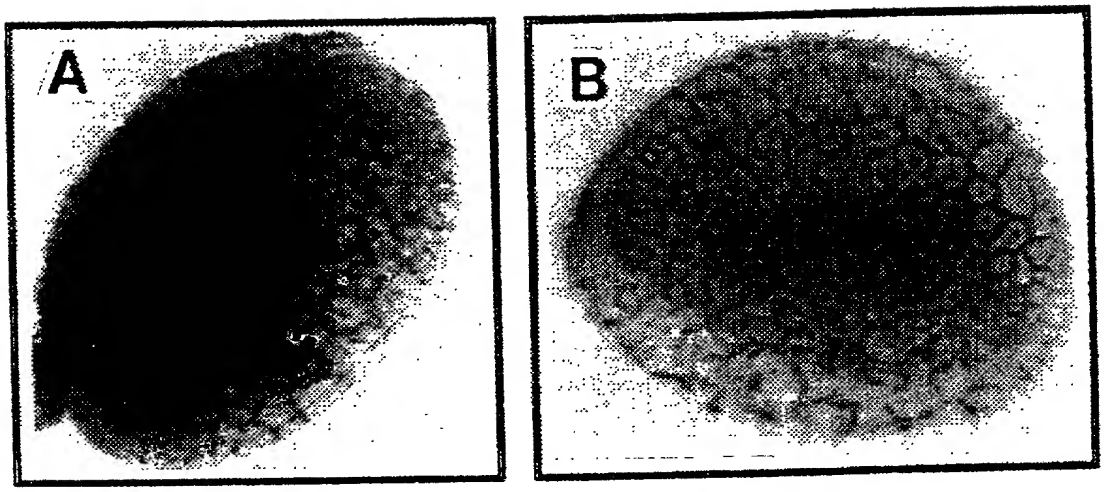


FIG 3

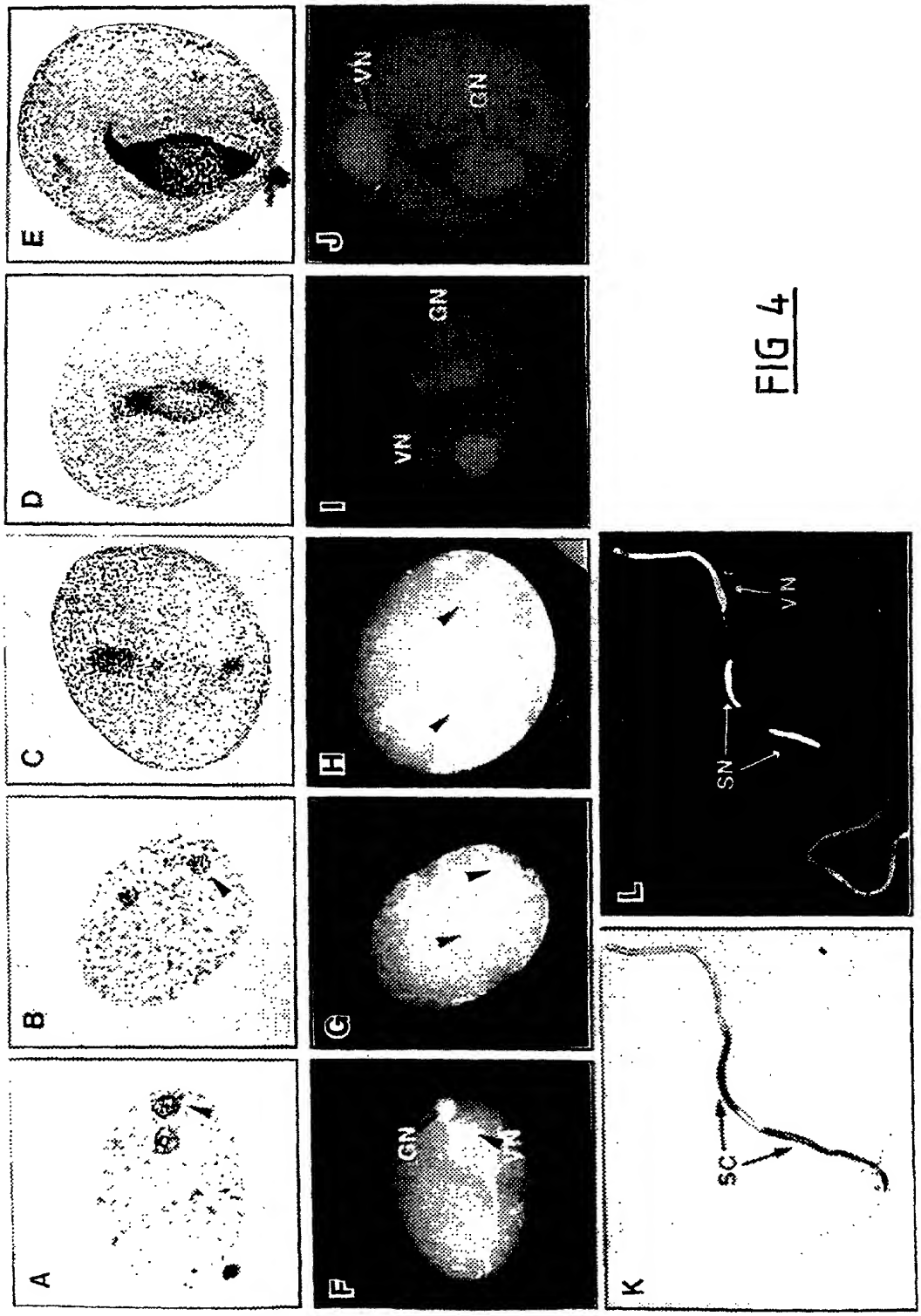


FIG 4

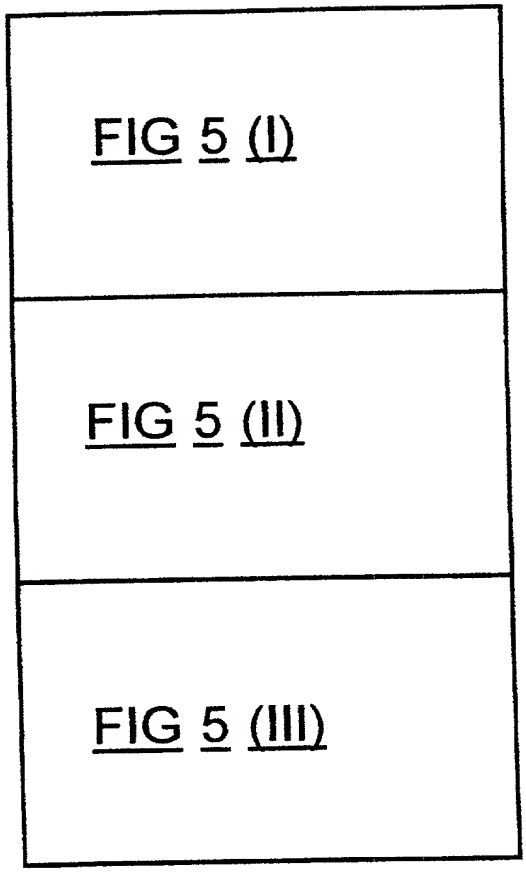


FIG 5

FIGURE 5 (I)

```
GAAAGTTGAA ACATCTCCAT CAAACTCTAG AGTCAGATTT CCCACAAG

ATG ATT TCA TCG GCA AAT AAC AAA GGC GCC GGC ACA AGC      48
Met Ile Ser Ser Ala Asn Asn Lys Gly Ala Gly Thr Ser
  5                  10

CGC CGC AAG CTC CGT TCT GAG AAG GCT GCA CTC CAG TTC      87
Arg Arg Lys Leu Arg Ser Glu Lys Ala Ala Leu Gln Phe
 15                  20                  25

TCC GTC AGT CGC GTC GAA TAC TCC CTC AAG AAG GGG CGC      126
Ser Val Ser Arg Val Glu Tyr Ser Leu Lys Lys Gly Arg
             30                  35

TAT TGC AGG CGC TTA GGC GCT ACG GCC CCC GTC TAC CTA      165
Tyr Cys Arg Arg Leu Gly Ala Thr Ala Pro Val Tyr Leu
 40                  45                  50

GCC GCC GTC CTT GAA AAC CTC GTG GCC GAA GTG TTG GAC      204
Ala Ala Val Leu Glu Asn Leu Val Ala Glu Val Leu Asp
             55                  60                  65
```

FIGURE 5 (II)

```
                                                                    282
ATG GCG GCG AAC GTG ACA GAA GAA ACA TCC CCC ATT GTT
Met Ala Ala Asn Val Thr Glu Glu Thr Ser Pro Ile Val
                70                  75

                                                                    321
ATC AAA CCG AGG CAT ATT ATG CTT GCC CCC AGG AAT GAT
Ile Lys Pro Arg His Ile Met Leu Ala Pro Arg Asn Asp
     80                  85                  90

                                                                    360
GTA GAA GTT GAA CAA GCT GTT TCA CGG TGT CAC CAT CTC
Val Glu Val Glu Gln Ala Val Ser Arg Cys His His Leu
            95                  100

                                                                    398
GGC ATC AGG TGT CGT CCC TAAAACACGC AAAGAGCTGG
Gly Ile Arg Cys Arg Pro
105                 110

                                                                    448
ACCGTCGCAA ACGCCGTTCC ACCTTTCAGC CGGATTAGTT CTTGATATTT

                                                                    498
CATTCTATCA ATCTTGGTTA TGTGACTGTG ATTTTTCGTT TTGTGTTGAA
```

FIGURE 5 (III)

CTAAGCCCCC TAATCTGGAT TTCTCGTTTT ATGTTGAACT AAGTCTGTGC 548

ACTCTTGAAG TAAAAAAAAA AAAAAAAAAA AAAAAAAAA 587

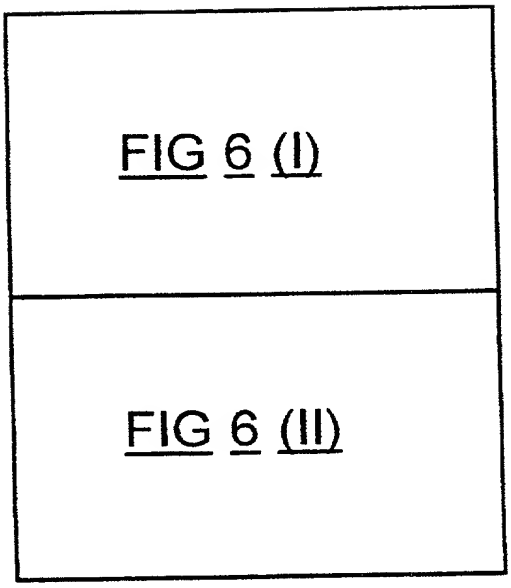


FIG 6

FIGURE 6 (I)

```
                                                                  42
GATCCCAAAT CATCA ATG ACG ATC CCC GAA AAG AAA TCC GTC
                 Met Thr Ile Pro Glu Lys Lys Ser Val
                   1               5

                                                                  81
GCT CCG ATG GCC CGT ATG AAG CAT ACA GCC CGC ATG TCT
Ala Pro Met Ala Arg Met Lys His Thr Ala Arg Met Ser
  10                15                  20

                                                                 120
ACC GGC GGT AAG GCT CCA CGC AAG CAG CTC GCC TCT AAG
Thr Gly Gly Lys Ala Pro Arg Lys Gln Leu Ala Ser Lys
      25                30                  35

                                                                 159
GCT CTT CGC AAG GCG CCA CCA CCA CCG ACC AAA GGA GTG
Ala Leu Arg Lys Ala Pro Pro Pro Pro Thr Lys Gly Val
          40                45

                                                                 198
AAG CAG CCC ACC ACT ACC ACC TCC GGA AAA TGG CGC TTC
Lys Gln Pro Thr Thr Thr Thr Ser Gly Lys Trp Arg Phe
      50                55                  60
```

FIGURE 6 (II)

```
                                                                    237
GCG AGA TTT CAC AGG AAA CTG CCA TTC CAA GGG CTG GTG
Ala Arg Phe His Arg Lys Leu Pro Phe Gln Gly Leu Val
                65                  70

                                                                    276
AGG AAA ATC TGG CAG GAC TTG AAG ACA CAT CTG CGC TTC
Arg Lys Ile Trp Gln Asp Leu Lys Thr His Leu Arg Phe
    75                  80                  85

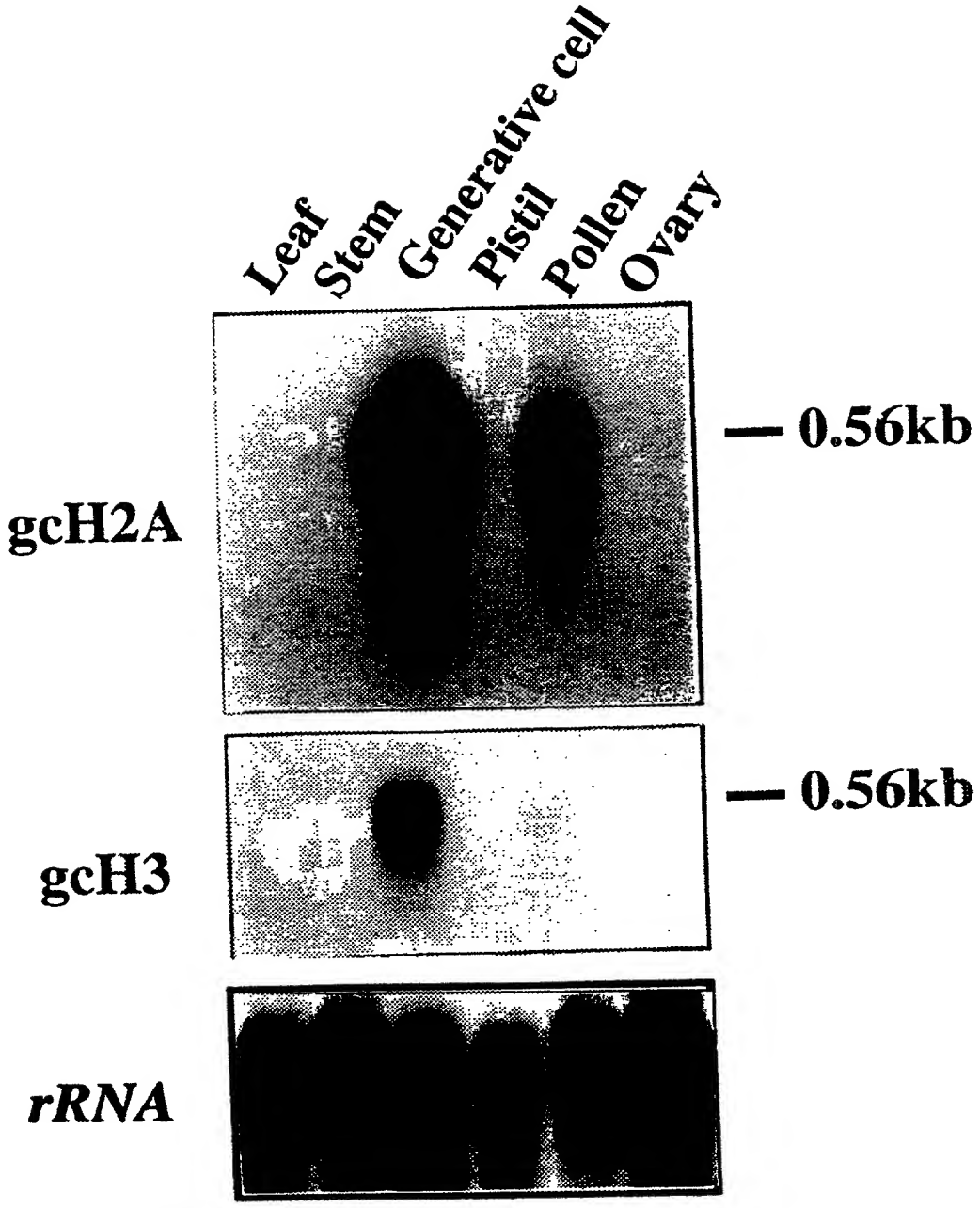
                                                                    315
AAG AAC CAC TCG GTT CCT CCA CTT GAG GAG GTA ACT GAG
Lys Asn His Ser Val Pro Pro Leu Glu Glu Val Thr Glu
            90                  95                  100

                                                                    348
GTT TAT CCT TGC CAA ACT ATT GGA GGA TGC TAT
Val Tyr Pro Cys Gln Thr Ile Gly Gly Cys Tyr
        105

                                                                    398
TAGGATATTG AATTTGGATA ATGGTTTAAT TATCTGTTCT ACCTTTATGA

                                                                    448
TCAAATTTCT GTGGCTCAGC GTTGTGTAAT TTGGGCAATC GAATTCTTAG

                                                                    485
CTATATTGCC TCAAAAAAAA AAAAAAAAA AAAAAAA
```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Pistil
Pollen
Ovary
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— 0.56kb
gcH3
— 0.56kb
rRNA

FIG 7

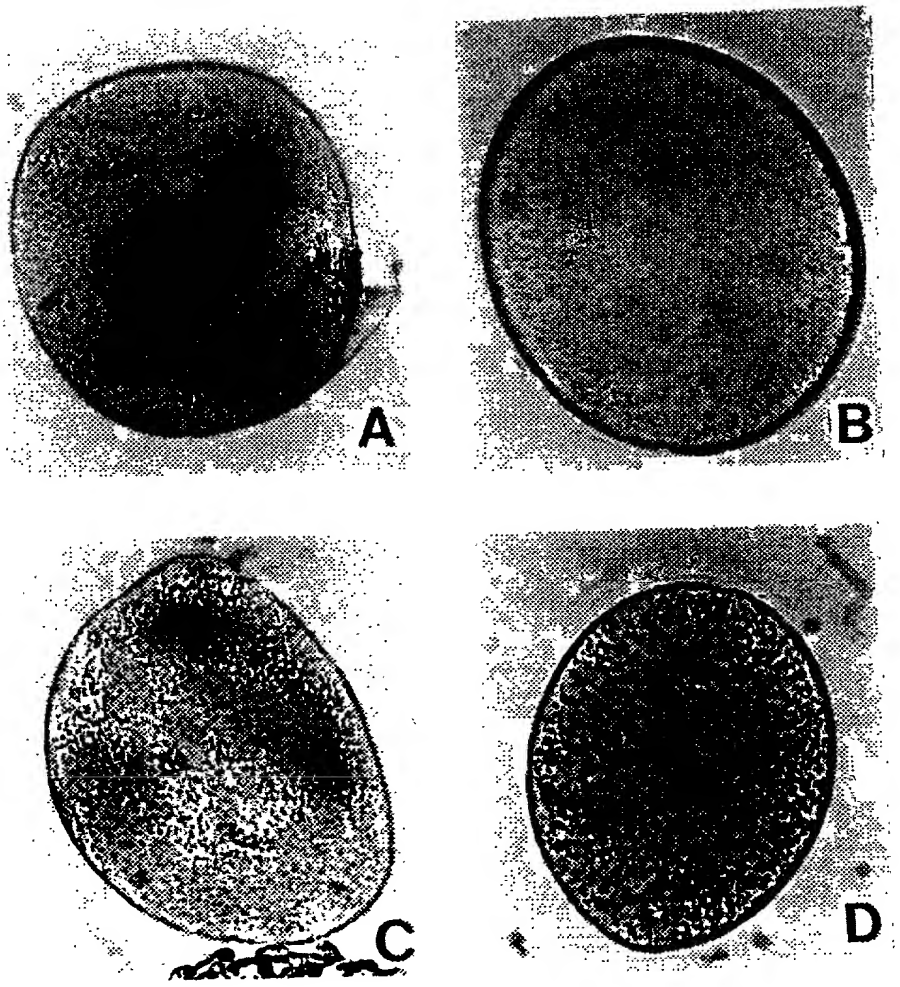

FIG 8

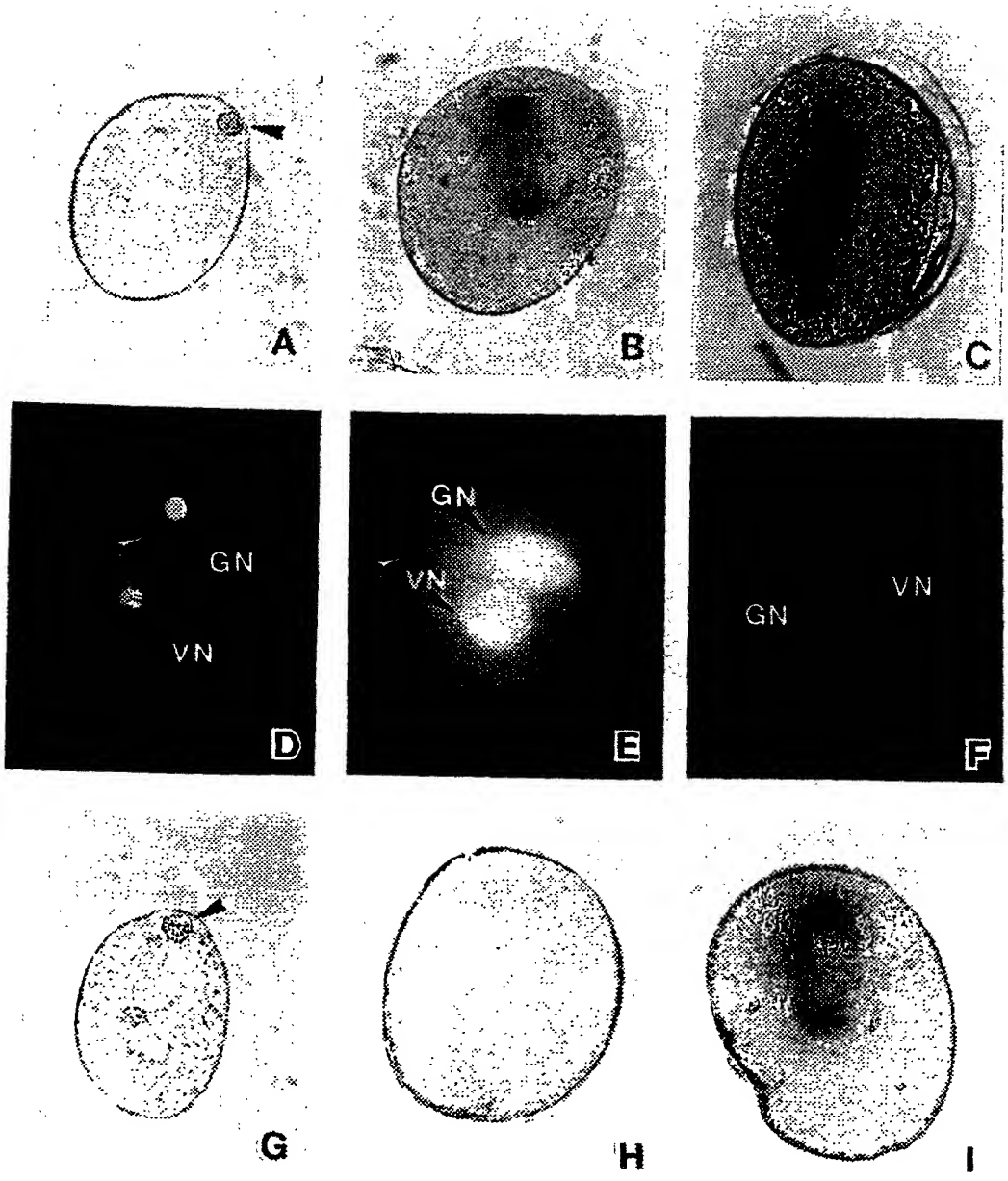

FIG 9

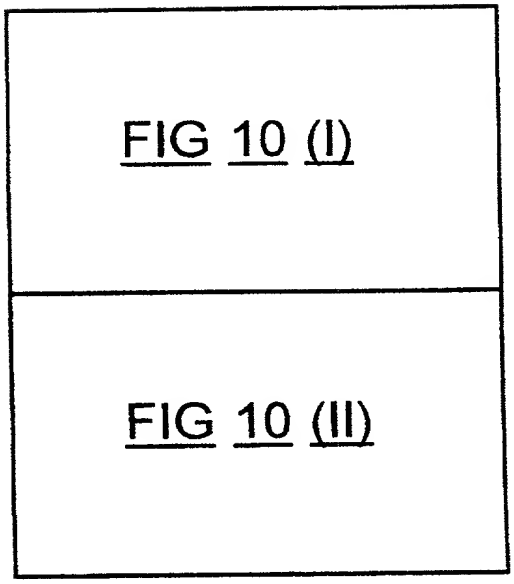

FIG 10

FIGURE 10 (I)

```
GGAGGGTGTT GGAATTAGGT TTGCCTAGGG TTTGCCTAGG TTTAGAGAAA     50
TAGTCAAAAT TGTCCTATTC TATAGGCATG ATTTAGTAGT GAGTTAATTA    100
TCCTATAATT TCTCTTCTTG TATGCTCAAA TAACTGGTTC TTTAATGAAT    150
AGATAATTAA GTTTTGTAGC AATTTCTTCC TCAAATTGAG TATCAACAAT    200
TGTTAGATTG CTTTGGTGAT TATATTTGAT ATAATTGTTT GTAAGAATGT    250
GTAGTGAAAA GATTGTGATT ATTCATTTCG TTGTTGGACG AATTGTTAGA    300
GCCCCATCGC TAATGCCTTA TAGTACTCGA AATATGTTGG GAATAGAAGA    350
TGAAAAATCC CATTCTTTGT AGTAGGAGTA AAAATTTGTC TTTTCATTAT    400
TCCATTGAAT GTTAACCACT TGCCATTCAT CTGACGGGGA TGGCAGAGTT    450
CCGACCATCT AGTGATCCGT GGGATATTGA TTTTGGTGTG TCAATGAAAT    500
TGTGAGAACG GGCTTCTGGG AGAGAAAAGC CCTCTTGCCT CTGATATGAA    550
CACTGAGGCT GATTATGTTA ACGGATGGAG ATTTATCAGT GGCTGAATTT    600
GGGTGCTGTA GAGACAGAAT TTGAAAGTTC TAACAATAAA CCCTAATTCT    650
GAACTTGGGC GGGGCTGGGA TTTTACTCTT AACGTGAAGA GAGGCAAGAT    700
GAATTGACAG CTTGGAAGTC GATCCAGTAT TTGCAGCAGT CGTGACGAAT    750
```

FIGURE 10 (II)

TGGTTGGACA	GTTACATCGG	TCAGAGAATG	CGTTCTATAA	ATTCCCCCAA	800
TGCGGCAGTG	AAAATCCCAT	CCCATCAACA	GAAGTTTTAA	GTGGAAACCC	850
ATTCCAATAG	AGAAGATCGA	ACAAAGGGTA	TTTAAACATA	CAA**ATG**GGGG	900
CAGTGGTGTT	TCTTTTTGCT	TGCGTTCTCT	TCTGTATGGT	TCACA	945

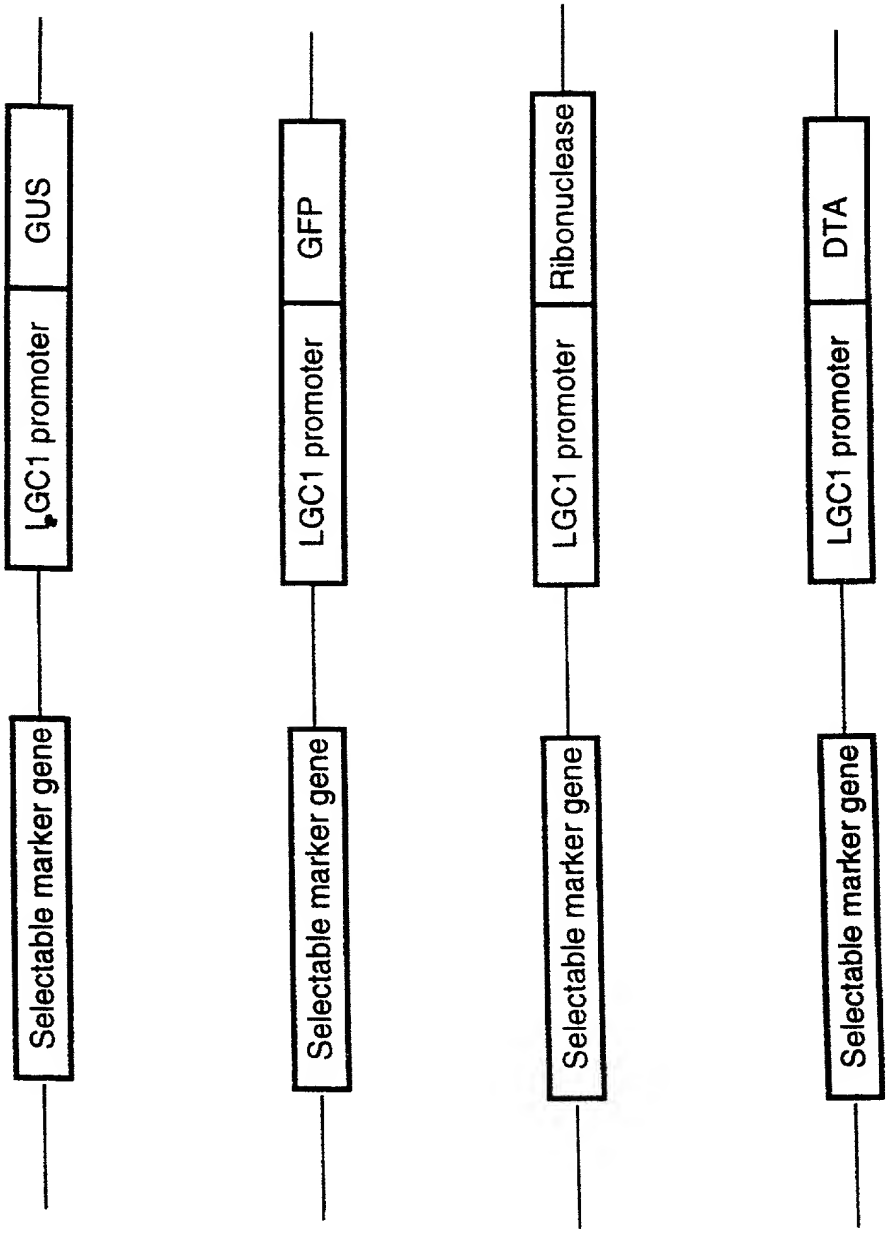
GUS
LGC1 promoter
Selectable marker gene
GFP
LGC1 promoter
Selectable marker gene
Ribonuclease
LGC1 promoter
Selectable marker gene
DTA
LGC1 promoter
Selectable marker gene

FIG 11

A

B

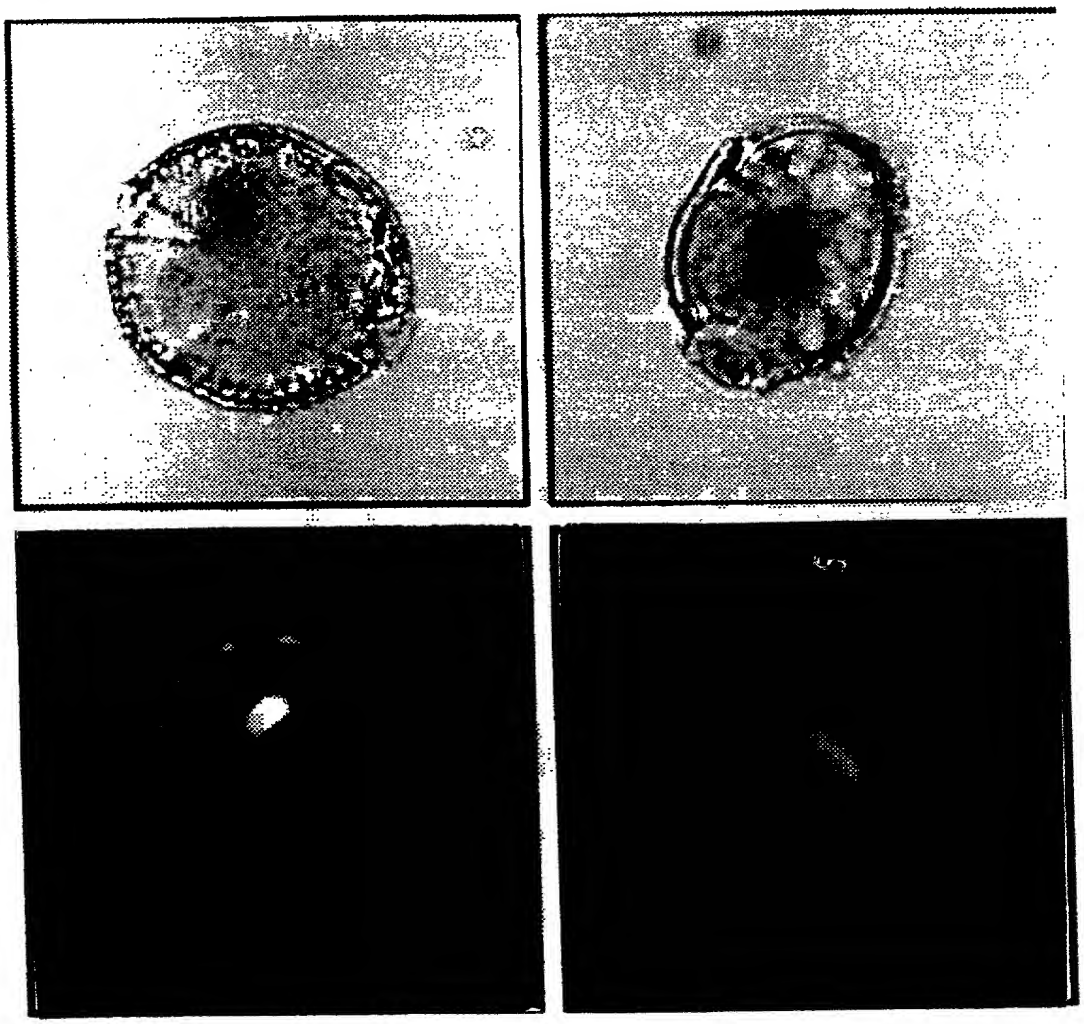

FIG 12

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(to Update Reference to PCT International Application)

13334

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"Novel nucleic acid molecules and uses therefor"

the specification of which (check only one item below)

☐ is attached hereto

☐ was filed as United States application

Serial No _____

on _____

and was amended

on _____ (if applicable)

☒ was filed as PCT international application

Number PCT/AU98/00587

on 24 July 1998

and was amended under PCT Article 19

on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowlege the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U S C. 119:

COUNTRY (PCT if PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
AUSTRALIA	PO 8233	25 July 1997	X ☐ YES ☐ NO
AUSTRALIA	PP 1184	31 December 1997	X ☐ YES ☐ NO
			☐ YES ☐ NO
			☐ YES ☐ NO
			☐ YES ☐ NO

Combined Declaration For Patent Application and Power of Attorney (Continued)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is are listed below and insofar as the subject matter of each of the claims of this application is not disclosed in that those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowlege the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABAND.

PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)			

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Stephen D. Murphy, Reg. No. 22,002; Leopold Presser, Reg. No. 19,827; William C. Roch, Reg. No. 24,972; Kenneth L. King, Reg. No. 24,223; Frank S. DiGiglio, Reg. No. 31,346; Paul J. Esatto, Jr., Reg. No. 30,749; John S. Sensny, Reg. No. 28,757; Mark J. Cohen, Reg. No. 32,211; Richard L. Catania, Reg. No. 32,608 and Donald T. Black, Reg. No. 27,999.

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	RESIDENCE & CITIZENSHIP	CITY: Templestowe	STATE OR FOREIGN COUNTRY: Victoria, Australia AUX	COUNTRY OF CITIZENSHIP: Australia
	POST OFFICE ADDRESS	POST OFFICE ADDRESS: 7 Lloyd Court	CITY: Templestowe, Victoria	STATE & ZIP CODE COUNTRY: 3106, Australia
203	FULL NAME OF INVENTOR	FAMILY NAME: XU	FIRST GIVEN NAME: Hui-Ling	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY: Doncaster	STATE OR FOREIGN COUNTRY: Victoria, Australia AUX	COUNTRY OF CITIZENSHIP: Australia
	POST OFFICE ADDRESS	POST OFFICE ADDRESS: 19 Roseland Grove	CITY: Doncaster, Victoria	STATE & ZIP CODE COUNTRY: 3108, Australia

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
X MS Mohan Singh	X PB Prem L. Bhalla	X H-L X Hui-Ling Xu
DATE X 3-3-2000	DATE X 3-3-2000	DATE X 3-3-2000

[ ] Signature for fourth and subsequent joint inventors.
Number of pages added _____.

204	FULL NAME OF INVENTOR	FAMILY NAME: SWOBODA	FIRST GIVEN NAME: INES	SECOND GIVEN NAME:
	RESIDENCE & CITIZENSHIP	CITY: Vienna	STATE OR FOREIGN COUNTRY: Austria ATX.	COUNTRY OF CITIZENSHIP: Austria
	POST OFFICE ADDRESS	POST OFFICE ADDRESS: c/o Institute of Medical and Clinical Laboratory Diagnostics, Immunology, 5H, AKH, University of Vienna, Wahringer Gurtel 18-20,	CITY: Vienna, Austria	STATE & ZIP CODE/COUNTRY:
205	FULL NAME OF INVENTOR	FAMILY NAME: SINGH	FIRST GIVEN NAME: Manjit	SECOND GIVEN NAME:
	RESIDENCE & CITIZENSHIP	CITY: Parkville	STATE OR FOREIGN COUNTRY: Victoria, Australia AUX	COUNTRY OF CITIZENSHIP: India
	POST OFFICE ADDRESS	POST OFFICE ADDRESS: 1/30 Park Drive	CITY: Parkville, Victoria	STATE & ZIP CODE/COUNTRY: 3052, Australia
206	FULL NAME OF INVENTOR	FAMILY NAME:	FIRST GIVEN NAME:	SECOND GIVEN NAME:
	RESIDENCE & CITIZENSHIP	CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
	POST OFFICE ADDRESS	POST OFFICE ADDRESS:	CITY:	STATE & ZIP CODE/COUNTRY:
207	FULL NAME OF INVENTOR	FAMILY NAME:	FIRST GIVEN NAME:	SECOND GIVEN NAME:
	RESIDENCE & CITIZENSHIP	CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
	POST OFFICE ADDRESS	POST OFFICE ADDRESS:	CITY:	STATE & ZIP CODE/COUNTRY:
208	FULL NAME OF INVENTOR	FAMILY NAME:	FIRST GIVEN NAME:	SECOND GIVEN NAME:
	RESIDENCE & CITIZENSHIP	CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
	POST OFFICE ADDRESS	POST OFFICE ADDRESS:	CITY:	STATE & ZIP CODE/COUNTRY:
209	FULL NAME OF INVENTOR	FAMILY NAME:	FIRST GIVEN NAME:	SECOND GIVEN NAME:
	RESIDENCE & CITIZENSHIP	CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
	POST OFFICE ADDRESS	POST OFFICE ADDRESS:	CITY:	STATE & ZIP CODE/COUNTRY:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
IS x Ines Swoboda	MS x Manjit Singh	
DATE x 15/3/2000	DATE x 3/3/2000.	DATE
SIGNATURE OF INVENTOR 207	SIGNATURE OF INVENTOR 208	SIGNATURE OF INVENTOR 209
DATE	DATE	DATE

SEQUENCE LISTING

(1) GENERAL INFORMATION:

(i) APPLICANT: (OTHER THAN US): THE UNIVERSITY OF MELBOURNE
(US ONLY): SINGH Mohan, BHALLA Prem, HUI-LING Xu and SWOBODA Ines

(ii) TITLE OF INVENTION: NOVEL NUCLEIC ACID MOLECULES AND USES THEREFOR

(iii) NUMBER OF SEQUENCES: 9

(iv) CORRESPONDENCE ADDRESS:
(A) ADDRESSEE: DAVIES COLLISON CAVE
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(C) CITY: MELBOURNE
(D) STATE: VICTORIA
(E) COUNTRY: AUSTRALIA
(F) ZIP: 3000

(v) COMPUTER READABLE FORM:
(A) MEDIUM TYPE: Floppy disk
(B) COMPUTER: IBM PC compatible
(C) OPERATING SYSTEM: PC-DOS/MS-DOS
(D) SOFTWARE: PatentIn Release #1.0, Version #1.25

(vi) CURRENT APPLICATION DATA:
(A) APPLICATION NUMBER: PCT INTERNATIONAL
(B) FILING DATE: 24-JUL-1998
(C) CLASSIFICATION:

(vii) PRIOR APPLICATION DATA:
(A) APPLICATION NUMBER: PO8233
(B) FILING DATE: 25-JUL-1997
(C) CLASSIFICATION:

(vii) PRIOR APPLICATION DATA:
(A) APPLICATION NUMBER: PP1184
(B) FILING DATE: 31-DEC-1997
(C) CLASSIFICATION:

(viii) ATTORNEY/AGENT INFORMATION:
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(C) REFERENCE/DOCKET NUMBER: EJH/AF

(ix) TELECOMMUNICATION INFORMATION:
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(B) TELEFAX: +61 3 9254 2770
(C) TELEX: AA 31787

(2) INFORMATION FOR SEQ ID NO:1:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 14 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:1:

GTACTCTTAA GCATACAACA TGAG 14

(2) INFORMATION FOR SEQ ID NO:2:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 14 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:2:

CAGGCATACT TGAATGCTAC AAGA 14

(2) INFORMATION FOR SEQ ID NO:3:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 625 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(ix) FEATURE:
(A) NAME/KEY: CDS
(B) LOCATION: 82..468

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:3:

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Met Arg Ala Val Ala Val Phe Phe Ala Cys
1 5 10

GTT CTC TTC TGT ATG GTT CAC AAA GCC GCA CTT GCG GAT GAT AAA ACG 159
Val Leu Phe Cys Met Val His Lys Ala Ala Leu Ala Asp Asp Lys Thr
15 20 25

TGC AAC CCT ACA GAT TTT ATG GTT ACC CAA ACC ATA ACT GGA TTG ACA 207

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            30                  35                  40

ATC GGC GGT AAA CAA GAG TTC GAG GTC AAT TTA ATA AAC AAT TTG TAT        255
Ile Gly Gly Lys Gln Glu Phe Glu Val Asn Leu Ile Asn Asn Leu Tyr
        45                  50                  55

TGT GCA CAA TCT AAT GTC AAA GTT TCA TGT GAC GGG CTT CAT ACC ACC        303
Cys Ala Gln Ser Asn Val Lys Val Ser Cys Asp Gly Leu His Thr Thr
    60                  65                  70

GAA CCA ATA GAT CCT CAC ATT ATC AGA CCA CTT AGT GAC GGA ACG AAC        351
Glu Pro Ile Asp Pro His Ile Ile Arg Pro Leu Ser Asp Gly Thr Asn
 75                  80                  85                  90

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Asn Cys Leu Val Asn Asn Gly Ala Pro Ile Ser His Ala Thr Leu Val
                95                 100                 105

GCA TTC AAG TAT GCC TGG GAT GTT CCT CCA TCT TTC AGC ATC ATC AGC        447
Ala Phe Lys Tyr Ala Trp Asp Val Pro Pro Ser Phe Ser Ile Ile Ser
            110                 115                 120

TCT GAT ATA AAT TGC TCC TAA GGAGAAA ATTCTAGTTG GCAGAGAATA               495
Ser Asp Ile Asn Cys Ser OCH
        125

ATCATATAGT CTTTTTTACT GAGCTATTTA ATTTTTTCAA TTTTCACCAA TAAGATTATT      555

TTAATGGAAT GTTAATGTAT TAGAATTGAA AAATAAAAAA AAAAAAAAAA AAAAAAAAAA      615

AAAAAAAAAA                                                              625
```

(2) INFORMATION FOR SEQ ID NO:4:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 128 amino acids
(B) TYPE: amino acid
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: protein

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:4:

```
Met Arg Ala Val Ala Val Phe Phe Ala Cys Val Leu Phe Cys Met Val
 1               5                  10                  15

His Lys Ala Ala Leu Ala Asp Asp Lys Thr Cys Asn Pro Thr Asp Phe
            20                  25                  30

Met Val Thr Gln Thr Ile Thr Gly Leu Thr Ile Gly Gly Lys Gln Glu
        35                  40                  45

Phe Glu Val Asn Leu Ile Asn Asn Leu Tyr Cys Ala Gln Ser Asn Val
    50                  55                  60

Lys Val Ser Cys Asp Gly Leu His Thr Thr Glu Pro Ile Asp Pro His
 65                  70                  75                  80

Ile Ile Arg Pro Leu Ser Asp Gly Thr Asn Asn Cys Leu Val Asn Asn
                85                  90                  95

Gly Ala Pro Ile Ser His Ala Thr Leu Val Ala Phe Lys Tyr Ala Trp
            100                 105                 110

Asp Val Pro Pro Ser Phe Ser Ile Ile Ser Ser Asp Ile Asn Cys Ser OCH
```

115 120 125

(2) INFORMATION FOR SEQ ID NO:5:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 587 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(ix) FEATURE:
(A) NAME/KEY: CDS
(B) LOCATION: 49..378

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:5.

```
GAAAGTTGAA ACATCTCCAT CAAACTCTAG AGTCAGATTT CCCACAAG ATG ATT TCA      57
                                                      Met Ile Ser
                                                        1

TCG GCA AAT AAC AAA GGC GCC GGC ACA AGC CGC CGC AAG CTC CGT TCT      105
Ser Ala Asn Asn Lys Gly Ala Gly Thr Ser Arg Arg Lys Leu Arg Ser
  5                  10                  15

GAG AAG GCT GCA CTC CAG TTC TCC GTC AGT CGC GTC GAA TAC TCC CTC      153
Glu Lys Ala Ala Leu Gln Phe Ser Val Ser Arg Val Glu Tyr Ser Leu
 20                  25                  30                  35

AAG AAG GGG CGC TAT TGC AGG CGC TTA GGC GCT ACG GCC CCC GTC TAC      201
Lys Lys Gly Arg Tyr Cys Arg Arg Leu Gly Ala Thr Ala Pro Val Tyr
                 40                  45                  50

CTA GCC GCC GTC CTT GAA AAC CTC GTG GCC GAA GTG TTG GAC ATG GCG      249
Leu Ala Ala Val Leu Glu Asn Leu Val Ala Glu Val Leu Asp Met Ala
            55                  60                  65

GCG AAC GTG ACA GAA GAA ACA TCC CCC ATT GTT ATC AAA CCG AGG CAT      297
Ala Asn Val Thr Glu Glu Thr Ser Pro Ile Val Ile Lys Pro Arg His
        70                  75                  80

ATT ATG CTT GCC CCC AGG AAT GAT GTA GAA GTT GAA CAA GCT GTT TCA      345
Ile Met Leu Ala Pro Arg Asn Asp Val Glu Val Glu Gln Ala Val Ser
  85                  90                  95

CGG TGT CAC CAT CTC GGC ATC AGG TGT CGT CCC TAAAACACGC AAAGAGCTGG    398
Arg Cys His His Leu Gly Ile Arg Cys Arg Pro
100                 105                 110

ACCGTCGCAA ACGCCGTTCC ACCTTTCAGC CGGATTAGTT CTTGATATTT CATTCTATCA    458

ATCTTGGTTA TGTGACTGTG ATTTTTCGTT TTGTGTTGAA CTAAGCCCCC TAATCTGGAT    518

TTCTCGTTTT ATGTTGAACT AAGTCTGTGC ACTCTTGAAG TAAAAAAAAA AAAAAAAAAA    578

AAAAAAAAA                                                            587
```

(2) INFORMATION FOR SEQ ID NO:6:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 110 amino acids
(B) TYPE: amino acid
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: protein

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:6:

```
Met Ile Ser Ser Ala Asn Asn Lys Gly Ala Gly Thr Ser Arg Arg Lys
 1               5                  10                  15

Leu Arg Ser Glu Lys Ala Ala Leu Gln Phe Ser Val Ser Arg Val Glu
            20                  25                  30

Tyr Ser Leu Lys Lys Gly Arg Tyr Cys Arg Arg Leu Gly Ala Thr Ala
        35                  40                  45

Pro Val Tyr Leu Ala Ala Val Leu Glu Asn Leu Val Ala Glu Val Leu
    50                  55                  60

Asp Met Ala Ala Asn Val Thr Glu Glu Thr Ser Pro Ile Val Ile Lys
65                  70                  75                  80

Pro Arg His Ile Met Leu Ala Pro Arg Asn Asp Val Glu Val Glu Gln
                85                  90                  95

Ala Val Ser Arg Cys His His Leu Gly Ile Arg Cys Arg Pro
            100                 105                 110
```

(2) INFORMATION FOR SEQ ID NO:7:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 485 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(ix) FEATURE:
(A) NAME/KEY: CDS
(B) LOCATION: 16..348

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:7:

```
GATCCCAAAT CATCA ATG ACG ATC CCC GAA AAG AAA TCC GTC GCT CCG ATG      51
                 Met Thr Ile Pro Glu Lys Lys Ser Val Ala Pro Met
                   1               5                  10

GCC CGT ATG AAG CAT ACA GCC CGC ATG TCT ACC GGC GGT AAG GCT CCA      99
Ala Arg Met Lys His Thr Ala Arg Met Ser Thr Gly Gly Lys Ala Pro
        15                  20                  25

CGC AAG CAG CTC GCC TCT AAG GCT CTT CGC AAG GCG CCA CCA CCA CCG     147
Arg Lys Gln Leu Ala Ser Lys Ala Leu Arg Lys Ala Pro Pro Pro Pro
    30                  35                  40

ACC AAA GGA GTG AAG CAG CCC ACC ACT ACC ACC TCC GGA AAA TGG CGC     195
Thr Lys Gly Val Lys Gln Pro Thr Thr Thr Thr Ser Gly Lys Trp Arg
45                  50                  55                  60

TTC GCG AGA TTT CAC AGG AAA CTG CCA TTC CAA GGG CTG GTG AGG AAA     243
Phe Ala Arg Phe His Arg Lys Leu Pro Phe Gln Gly Leu Val Arg Lys
                65                  70                  75
```

```
ATC TGG CAG GAC TTG AAG ACA CAT CTG CGC TTC AAG AAC CAC TCG GTT        291
Ile Trp Gln Asp Leu Lys Thr His Leu Arg Phe Lys Asn His Ser Val
             80                  85                  90

CCT CCA CTT GAG GAG GTA ACT GAG GTT TAT CCT TGC CAA ACT ATT GGA        339
Pro Pro Leu Glu Glu Val Thr Glu Val Tyr Pro Cys Gln Thr Ile Gly
         95                  100                 105

GGA TGC TAT TAGGATATTG AATTTGGATA ATGGTTTAAT TATCTGTTCT                 388
Gly Cys Tyr
    110

ACCTTTATGA TCAAATTTCT GTGGCTCAGC GTTGTGTAAT TTGGGCAATC GAATTCTTAG      448

CTATATTGCC TCAAAAAAAA AAAAAAAAAA AAAAAAA                               485
```

(2) INFORMATION FOR SEQ ID NO:8:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 111 amino acids
(B) TYPE: amino acid
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: protein

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:8:

```
Met Thr Ile Pro Glu Lys Lys Ser Val Ala Pro Met Ala Arg Met Lys
  1               5                  10                  15

His Thr Ala Arg Met Ser Thr Gly Gly Lys Ala Pro Arg Lys Gln Leu
             20                  25                  30

Ala Ser Lys Ala Leu Arg Lys Ala Pro Pro Pro Pro Thr Lys Gly Val
         35                  40                  45

Lys Gln Pro Thr Thr Thr Thr Ser Gly Lys Trp Arg Phe Ala Arg Phe
     50                  55                  60

His Arg Lys Leu Pro Phe Gln Gly Leu Val Arg Lys Ile Trp Gln Asp
 65                  70                  75                  80

Leu Lys Thr His Leu Arg Phe Lys Asn His Ser Val Pro Pro Leu Glu
                 85                  90                  95

Glu Val Thr Glu Val Tyr Pro Cys Gln Thr Ile Gly Gly Cys Tyr
             100                 105                 110
```

(2) INFORMATION FOR SEQ ID NO:9:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 945 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:9:

GGAGGGTGTT GGAATTAGGT TTGCCTAGGG TTTGCCTAGG TTTAGAGAAA TAGTCAAAAT 60

TGTCCTATTC TATAGGCATG ATTTAGTAGT GAGTTAATTA TCCTATAATT TCTCTTCTTG 120

TATGCTCAAA TAACTGGTTC TTTAATGAAT AGATAATTAA GTTTTGTAGC AATTTCTTCC 180

TCAAATTGAG TATCAACAAT TGTTAGATTG CTTTGGTGAT TATATTTGAT ATAATTGTTT 240

GTAAGAATGT GTAGTGAAAA GATTGTGATT ATTCATTTCG TTGTTGGACG AATTGTTAGA 300

GCCCCATCGC TAATGCCTTA TAGTACTCGA AATATGTTGG GAATAGAAGA TGAAAAATCC 360

CATTCTTTGT AGTAGGAGTA AAAATTTGTC TTTTCATTAT TCCATTGAAT GTTAACCACT 420

TGCCATTCAT CTGACGGGGA TGGCAGAGTT CCGACCATCT AGTGATCCGT GGGATATTGA 480

TTTTGGTGTG TCAATGAAAT TGTGAGAACG GGCTTCTGGG AGAGAAAAGC CCTCTTGCCT 540

CTGATATGAA CACTGAGGCT GATTATGTTA ACGGATGGAG ATTTATCAGT GGCTGAATTT 600

GGGTGCTGTA GAGACAGAAT TTGAAAGTTC TAACAATAAA CCCTAATTCT GAACTTGGGC 660

GGGGCTGGGA TTTTACTCTT AACGTGAAGA GAGGCAAGAT GAATTGACAG CTTGGAAGTC 720

GATCCAGTAT TTGCAGCAGT CGTGACGAAT TGGTTGGACA GTTACATCGG TCAGAGAATG 780

CGTTCTATAA ATTCCCCCAA TGCGGCAGTG AAAATCCCAT CCCATCAACA GAAGTTTTAA 840

GTGGAAACCC ATTCCAATAG AGAAGATCGA ACAAAGGGTA TTTAAACATA CAAATGGGGG 900

CAGTGGTGTT TCTTTTTGCT TGCGTTCTCT TCTGTATGGT TCACA 945

(2) INFORMATION FOR SEQ ID NO:10:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 14 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:10:

CAGGCATACT TGAATGCTAC AAGA 14

(2) INFORMATION FOR SEQ ID NO:11:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 24 base pairs

(B) TYPE: nucleic acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:11:

TGTGAACCAT ACAGAAGAGA ACGC 24